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JANUARY 2010 • ISSN 2040-43369 • Published and edited by reformed offenders

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ANOTHER CONVERSE **EXCLUSIVE!**

HMP Ashwell Riot Damage: **£818,700**

The cost of repairing the damage caused by the riot at HM Prison Ashwell in April 2009 has been confirmed at a staggering £818,700 - and its still climbing.

The figure was revealed in a Parliamentary Answer quietly slipped out over the Christmas break in response to a Question from Shadow Justice Minister Dominic Grieve. Lord Chancellor Jack Straw said that information held by the HMP Ashwell "shows that the costs of reconstruction currently stand at approximately £818,700."

The 'serious disturbance' involving over 400 prisoners took place at HMP Ashwell, near Oakham in Rutland on Saturday 11 April. Ashwell was originally an open prison fenced to upgrade it to Category C in the 1980s. The older part of the prison held 425 prisoners in dormitory accommodation which did not have bars or grille gates to secure them. The newer part of the prison held 194 prisoners in cellular accommodation. The disturbance was entirely within the insecure old prison site and the cellular accommodation was not damaged and remained in use after the riot.

The disturbance began at 01.00am and ended at 10.45pm on the same day. The Silver Command suite at the prison and the Gold Command suite at National Offender Management Service (NOMS) HQ in London, which can quickly call on national resources to handle serious incidents, was swiftly opened, and ministers were kept informed throughout the nine hour disturbance.

A later investigation revealed that the incident started with a young prisoner, aged 22 serving a three-year sentence, confronting staff and when ordered to return to his room he refused and began to cause damage before being joined by others. The riot "quickly escalated" the report said. Staff initially secured the office and then evacuated from

1	Four residential wings: replacement glass, fire alarm arrangements, H&S equipment: £30,000
2	Refurbishing the OMU Building: fire damage, complete refurbishment: £634,000
3	Repairing the gymnasium: Repairs to most windows, internal doors, ceiling tiles fire damage decoration: £20,000
4	Healthcare/Reception repairs to windows, internal doors decoration: £10,000
5	Plastics Moulding Workshop: Fire damage and redecoration, replacement machinery: £50,000
6	Maintenance Offices: Repairs to windows, internal doors, decoration: £10,000
7	Potato Pak Building: Totally destroyed by fire: £8,500
8	Repairing D Wing Annex: Replacement of every window pane, some external lights, decoration: £10,000
9	Costs of redecorating all other workshops, redecoration replacement windows: £10,000
10	Boarding up buildings: £6,900
11	Compensation to staff and prisoners for property: £4,300
12	Other costs: £25,000
Total: £818,700	

the old part of the prison. No member of staff was injured or directly attacked. Once staff had withdrawn, the damage continued with fires lit and fittings and fabric smashed and damaged. Riot trained prison officers were called out and the police secured the perimeter. Intervention did not take place because there was no available accommodation in which to secure those involved in the riot. Instead escort vans were directed to the prison and a planned



removal of 424 prisoners to 26 other prisons took place during the afternoon and evening of Saturday 11 April. The incident finished at around 10.30pm when all prisoners were accounted for. No staff were injured or directly attacked and there were minor injuries to only three prisoners. The damage done to three of the old wings was

substantial although the rest of the prison was either undamaged or sustained superficial damage. The Gold Command suite at NOMS headquarters in London remained open until 2.30am on 12 April

to double check that all named individual prisoners transferred out were accounted for and to verify that the roll at Ashwell, as confirmed by the Governor at 10.30pm, was correct.

At the time of the disturbance Ashwell held 611 prisoners against its operational capacity of 619, the Ministry of Justice said there was a full complement of night staff on duty and although there had been speculation that the prison held prisoners other than Category C, this they said was not the case. All the prisoners in Ashwell were assessed as Category C prisoners.



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>> IN THIS MONTH'S ISSUE



Staw on Cops: "You're Just Lazy!"

Jack Straw has come under fire for
claiming Cops just want to stay in the
police station and keep warm!
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**H.M.P.
MANCHESTER**

Met Cop 'Was Corrupt' for Wife's Free Coke

A Cop is on trial for alleged corruption that
ensured his wife had a free supply of cocaine
a court has heard **Page 8**



Lewes 'suicide' inmate 'was innocent'

The family of a man found dead in
Lewes days before his trial say he
was innocent. **Page 16**

Veterans in Prison Assoc National Conference

First ever National Conference on
Vets in Prison to be held in London in
April 2010: **Page 18**



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Bogus Armed Cop Jailed



A man who spent several years pretending to be a Metropolitan Police officer has been jailed for 20 months.

Stuart Howatson, 31, of Bewdley, Worcestershire, conned family and friends, including his wife, into believing he was a policeman.

He enjoyed an illustrious sham career, serving as an armed officer, dog handler, senior officer on sabbatical and even a protection officer to the Queen.

Before his 2006 wedding, he told guests that former Met commissioner Sir John Stevens would attend and even set out a place for him. When the retired senior officer did not appear, friends and family were told security issues had prevented him coming.

Howatson was eventually exposed as a fraud following a tip-off to Scotland Yard's anti-corruption command.

A Metropolitan Police spokesman said the impersonator was sentenced to 20 months in prison

at Worcester Crown Court. He pleaded guilty to possessing police uniforms, an offensive weapon, false accounting, fraud by false representation and child pornography offences.

The court heard Howatson offered to buy a £720,000 Spanish villa owned by friends after honeymooning at the property. He said a recent inheritance meant he had the funds to buy without a mortgage and delayed for two years while he enjoyed several free breaks at the villa.

Investigators discovered he created false bank statements showing

monthly deposits from "Met Police" and "MPA". They also found he gave an educational talk, in full uniform, at a nursery school where a family friend worked in 2007.

Howatson was arrested at his home in Millside Court, Bewdley, in October 2008 by anti-corruption officers. They uncovered a substantial number of uniforms, which he later claimed to have bought on online auction site eBay. Officers also discovered a number of indecent images of children while examining his computers. Detective Inspector Claire Moxon, of the force's directorate of professional standards, said: "Howatson went to great lengths to maintain a long-running deceit, taking advantage of the trust placed in him by the people around him. His behaviour has not only deeply affected his family and friends, but risked undermining the integrity and professionalism of genuine police officers everywhere."

the Swain & Co page

PRISON LEGAL AID SLASHED

CASES WE HAVE WON

Inappropriate dosage of medication. £1.4 million compensation

Failure to diagnose and treat meningitis. Multi-million pound settlement reached.

Failure to diagnose testicular cancer. £150,000 compensation received.

Delay investigating an infection. £7,500 Compensation

Achilles tendon damage not treated. Compensation paid

Mismanaged birth resulting in brain injury. £2.5 million compensation

Failure to recognise bypass complications. £10,000 Compensation

Putting the wrong lens in an eye during a cataract operation. £10,000 Compensation

We proved that medical records had been fiddled. Paid Compensation

Fractures missed by the hospital, including Wrist, Spinal and Shoulder, up to £75,000 Compensation

Wrongly catheterised. £7,500 Compensation

Wrong prescription given. Various awards of £3,000 plus.

We represented the General medical Council to have two GPs struck off.

Dental negligence. £28,000 Compensation

The legal aid budget covering prison law and crime is to be cut by a massive £23 million this year and there are to be changes to the way that legal aid is dealt with in prison and criminal law matters.

These cutbacks will affect the way that prison law cases are handled from July 2010 when new changes come in to force. Graeme Swain of Swain and Co solicitors said, "One way that legal aid will limit the costs is that it will introduce a new fixed fee scheme with a standard fee for Parole Board hearings. This will put pressure on solicitors to avoid prison visits whenever possible. "It worries me greatly as I see visits being crucial in complex cases and cases of major importance to a client such as parole applications. We know from experience that clients benefit greatly from the ability to meet face to face"

These changes have come about due to the costs of Prison Law cases increasing over the last ten years. In 2008/9, 42,973 Prison Law cases were funded at a cost of around £22m. The Legal Services Commission wants to reduce spending in this area of law.

As part of the cutbacks the LSC wants to promote the giving of telephone advice. Concerns have been expressed that language difficulties, cost of calls, the lack of available facilities and so on can on occasions make it difficult or impossible to feel confident that full instructions can be obtained.

Another change is that a 'sufficient benefit test' will be enforced. This means that legal aid will only be available if the circumstances of the matter justify the use of funds and the decision to provide funding will need to be documented and subject to audit.

Graeme Swain said "One development is the LSC introduction of a supervisor standard, whereby each law firm dealing with Prison Law must have a supervisor with a

minimum of 350 hours of experience per year as well as meeting other requirements. At the moment, any firm dealing with criminal law can carry out Prison Law work. This new regulation intends to ensure that prison law is dealt with by specialist teams of lawyers. At Swain & Co we already hold specialist prison law contracts."

The government has also announced that it has abandoned plans for the pilot scheme for best value tendering in Criminal cases. The tendering process had been due to start in the New Year in Avon, Somerset and Greater Manchester. This has brought a considerable amount of relief to the practitioners in these areas. Firms will have to bid to do criminal work as part of a competitive tender process. It is anticipated that a new and wider scheme will now be proposed.

Since the government announced its plans to roll out this scheme it has been met with criticism by many in the profession. The Law Society chief executive Des Hudson had slammed the Legal Services Commission's proposal stating that imposing best value tendering in criminal legal aid was "akin to trying to fit a square peg through a round hole," and the effects would be felt not just by legal aid practitioners in England and Wales but also by those who rely on their services.

Graeme Swain said "It seems that the decision was swayed by the argument that it was unfair to expect firms to tender for the work when the consultations on Crown Court and Very High Cost Cases fees were still pending. Firms need to know what fees they can expect across the board in criminal work before they tender for police station work".

The Government and the LSC say that they are going to work up alternative plans. The legal aid minister Lord Bach stated that he expects to shortly produce an outline of improved proposals. Both the LSC

and government still seem convinced that some form of competitive tendering can provide the magic bullet to control legal aid costs.

We must now wait to see what the government's alternative plans will be. However there are real concerns by lawyers in relation to what may follow.

Another significant change which will affect all prisoners, as part of a new plan rolled out by the LSC in the summer of 2011, is that prisoners will be limited in seeking advice and assistance relating to their treatment, discipline and sentence.

Graeme Swain said "I was shocked by the initial proposal that advice to prisoners on treatment matters might be removed from the scope of the legal aid. This would have meant that prisoners would be forced to rely almost exclusively on the prison complaints system to resolve what can on occasion be complex issues often closely related to a vital matter such as parole. However, it now seems to be accepted that there are occasions when a prisoner has a legitimate and serious grievance and does need the assistance of a solicitor. Timely advice can ensure justice and ultimately prisoners can be advised on issues such as judicial review and compensation claims."

It is clear that there will be major changes to legal aid in Prison Law this year. "Prisoners are sent to prison as punishment and not for punishment," according to Graeme Swain. He also said, "I hope that cutbacks in the prison system, and the subsequent pressure on all concerned, will not mean that legal aid changes leave some prisoners powerless to prevent injustice and frustrated by a complaints system which they and their lawyers have little confidence in.

Graeme Swain is the managing partner of Swain and Co Solicitors which is a national firm specialising in prison law, crime and civil liberties.

CURRENT CASES AND CLAIMS

Failure to treat post-operative infection

Failure to change bandages, dressings and casts resulting in infection

Denying prisoners pain relief

Surgical errors resulting in injury

Lack of footwear, aids and adjustments generally

Failure to ensure a proper diet on health grounds

Failure to treat burns

Failure to arrange specialist visits, i.e. chiropractor, dentist and optician

Not diagnosing cancer

Delaying referrals to hospitals

Cancelling hospital visits

Delay in obtaining biopsy results

Moving a prisoner while on medical hold

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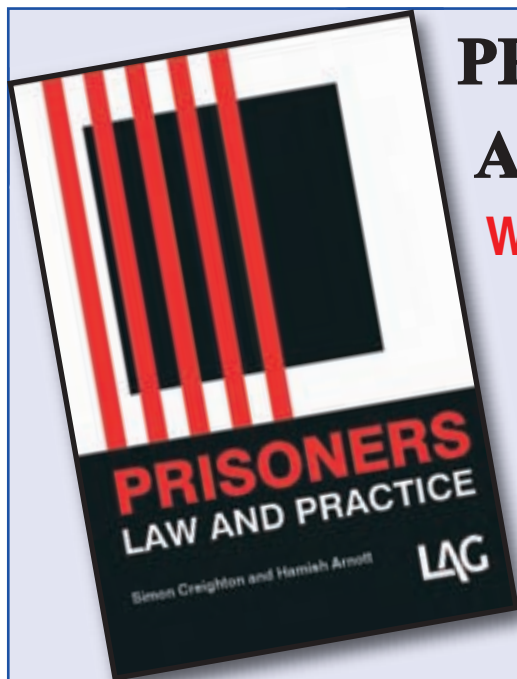


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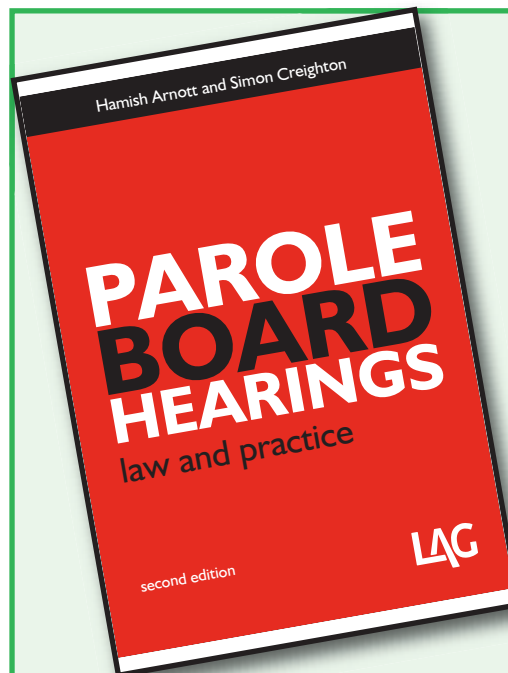
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Prisoners: Law and Practice is an essential legal reference book for prison lawyers, prisoners and prison staff alike - a copy deserves to be in every prison library, and also in the top drawer of every prison lawyer and prison governor in the country; a truly remarkable book from two truly remarkable lawyers.



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Ten Met Cops Caught Using Coke, Heroin and Cannabis



Ten Scotland Yard officers were caught using illegal drugs including cocaine, heroin and cannabis over the last year.

Officers employed by the London force can be subjected to substance and alcohol misuse testing at any time.

New figures revealed three of the officers proved positive for banned drugs during random tests by a team of officials.

The officers took either cocaine, heroin or cannabis. Two resigned and the third was sacked after a misconduct hearing.

The positive tests were only a tiny proportion of the 815 random substance misuse tests that took place in the 12 months up to November.

Officials tested a further 11 officers after colleagues became suspicious they may be using drugs during the same period.

Of these tests, four people tested positive for cannabis and three for cocaine.

Six officers resigned and one is waiting for the outcome of a disciplinary hearing.

There were 346 random breath tests and no one recorded a positive result, and 231 pre-employment

tests also proved negative.

Senior officers introduced drug and alcohol testing in 2007 after a change in the law enabled random tests of officers in certain roles to take place.

They fear employees and members of the public could be disrupted and even put at risk by the actions of drug users and alcohol abusers.

Those applying for work at the force, probationary officers and specialists with dangerous roles such as carrying firearms or undercover work are subjected to mandatory random tests.

Other officers can be tested when there is a "reasonable suspicion" of substance misuse.

A Metropolitan Police spokesman said: "The Met has a duty of care to its officers, its staff and the people of London.

"The purpose of substance misuse testing is to ensure that members of the Met are deterred from engaging in substance misuse and, where individuals place themselves, others and the organisation at risk from such misuse, they are identified and dealt with appropriately.

"The Met has a duty to ensure that the vast majority of our staff who are not substance misusers are not affected or put at risk by the actions of those few who might be.

"Substance misuse testing is designed to help create and maintain a healthy workforce and supports the ethos of high integrity, individual responsibility and accountability.

"It also demonstrates a commitment to enhance public confidence in the service we provide."

The Metropolitan Police Federation, which represents frontline officers, said: "An officer who abuses drugs poses a safety risk to his colleagues. "And for an officer to commit a criminal act by using an illegal substance is quite obviously unacceptable."

The Prison Service, unlike the police, fire brigades and all the armed forces, do not randomly test its staff for illegal drug misuse, despite many calls for them to do so following a large surge in the number of staff caught with illegal substances. The Prison Officers Association has consistently resisted calls for staff to be subject to random drug tests.

Royal Harpist Guilty of Fraud



The Prince of Wales's former official harpist has walked free from court after being given a community service order for handling stolen goods and attempted fraud.

Jemima Phillips, 28, (left) who in 2005 played at the wedding of

Charles and the Duchess of Cornwall, looked after goods taken in burglaries by her former boyfriend, drug addict William Davies, 41.

The Royal College of Music graduate, who was herself battling heroin addiction, was given a 12-month community order at Gloucester Crown Court. Phillips, from the Forest of Dean, Gloucestershire, was told the order would also feature a supervision element and a six-month drug rehabilitation requirement.

Judge Michael Harington heard that Phillips had made a "complete transformation" after staying clean for four months.

Co-defendant Davies, from Cheltenham, Gloucestershire, was jailed for four and a half years. Earlier this month, he was convicted of committing four burglaries in the Forest of Dean area during a week-long spree.

Phillips was cleared of burglary, but convicted of handling after items were found in her Ford Galaxy. Phillips admitted one count of attempted fraud, by trying to use a building society book stolen by Davies to withdraw £500.

She only agreed to that, she claimed, after Davies' friends threatened to reveal her drug addiction in the press and show up her royal connections.

Prosecutor Simon Burns said that Phillips was of previous good character, whereas Davies had 63 previous convictions for 118 offences.

Mr Burns also handed the judge "before and after" pictures showing Phillips' slide into drug abuse.

Mr Burns said the images revealed "the obvious transformation showing the ravages of drug addiction, crack and heroin - what can only be described as a spectacular fall from grace".

Paul Grumbar, for Phillips, said her mother had written a letter to the judge stating the "true position" about what she has been doing since her arrest.

Mr Grumbar said: "Since her arrest, valiant efforts have been made - there has been a complete transformation - she's been drug-free for over three months - four, I think it is. She's been consulting specialists, attending everything religiously and carrying on working.

"This is a very, very vulnerable girl. She had an appalling childhood, abuse, tragedy in her family, the death of her younger brother, the illness her sister suffers from - a dreadful life coupled with a spectacular talent, but a very weak personality and I would submit a very vulnerable personality.

"She has had disastrous relationships in the past and this relationship was in a similar vein. She fell for him (Davies), and went off the rails for a very, very short period of time but now she is climbing back up the ladder."

Steve Young, for Davies, said his client was an "intermittent addict" who was offending to feed his drug habit. Phillips was already a drug user when she met Davies, Mr Young added.

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News News News



DURHAM COPS ADMIT GUN MISCONDUCT CHARGES

Two police officers accused of selling guns which had been handed in for safe disposal to members of the public, admitted misconduct in a public office today.

Durham Police officers Maurice Allen, 47, (left) and Damien Cobain, 42 (right), each entered a guilty plea to the charge during a brief hearing at Newcastle Crown Court.

Allen faces further charges of theft in relation to various firearms, which remain outstanding, and did not enter pleas. Judge David Hodson adjourned the case until February.

Allen, of Houghton le Spring, Wearside, and Cobain, of Sunderland, were investigated by the force's professional standards department, under the supervision of the Independent Police Complaints Commission (IPCC) last year.

The officers were suspended as a result, arrested and interviewed concerning the allegations.

Allen has nearly 29 years' police service, and Cobain has been with the force for eight years.



TOP MET COP DENIES MISCONDUCT

A senior Scotland Yard officer assaulted and falsely arrested a man in a row over payment for a personal website, a court has heard.

Ali Dizaei, 47, abused his position as a Metropolitan Police commander to further his own interests, a jury was told. He then wove a web of lies in the aftermath of the row outside a west London restaurant, Southwark Crown Court heard.

Prosecutor Peter Wright QC said Dizaei "bullied" and "threatened" Iraqi web designer Waad Al-Baghdadi.

He said: "These are allegations of the

and detained and he falsely accused a fellow citizen of criminal conduct.

"It involves persisting in wholly false allegations, thereby exposing the citizen to continued detention and the risk of prosecution."

Dizaei went on trial accused of misconduct in a public office and perverting the course of justice.

The two offences are linked to a confrontation at the Persian Yas restaurant in Hammersmith Road, Kensington, on July 18, 2008.

The prosecution followed an investigation by officials from the Independent Police Complaints Commission. Dizaei is the most senior Muslim police officer in Britain and former president of the National Black Police Association.

Opening the case today, Mr Wright said Dizaei was wearing his uniform when he ran into the man after attending a swearing-in ceremony for new officers at Scotland Yard.

The prosecutor said Mr Al-Baghdadi asked for £600 he was owed to pay for several months of website work and the purchase of the domain name alidizaei.com. Mr Wright said the senior officer became increasingly angry,

wholesale abuse of power by a senior police officer for entirely personal and oblique motives. "It involves the bullying of a fellow citizen, it involves intimidating and threatening him. "It involves abusing the power invested in him by virtue of his office and rank. "That he assaulted

threatening the businessman and eventually challenging him to a fight in a side street. The court heard Dizaei "threw his weight around", telling the Iraqi: "You have got five minutes to leave the restaurant or I will show you."

Mr Wright said the officer then told Mr Al-Baghdadi: "Let's go to the next road, I will show you." The businessman replied: "I am talking to you. I did work for you, and you say to me 'let's go around the corner to fight'."

"You are a police commander, if you are police commander of all this world you still have no class. That is so cheap. I am still talking to you."

Mr Wright said: "These remarks did not in any way placate Ali Dizaei and it appears by then he was very, very angry."

Mr Al-Baghdadi left the restaurant and walked to a nearby road junction, where his car was parked, and dialled 999 to complain about his treatment.

At this point, Dizaei appeared carrying a pair of handcuffs, interrupted the call to ask for back-up, and arrested the website designer.

Dizaei allegedly told Mr Al-Baghdadi: "I will f*** your life. Do you think I don't know what you do in London? I will find out every single detail about your life."

Mr Al-Baghdadi replied: "I have not done anything."

Mr Wright said Dizaei told him: "I have 10 witnesses, I will show you what I can do."

The jury was played part of the eight-minute 999 call made by Mr Al-Baghdadi at about 11.34pm.

In it, the Iraqi gives an explanation of the ongoing dispute between the two men over the website work. The call handler is apparently confused when he reads out the officer's full "Dr Ali Dizaei" title from his business card. Dizaei can then be heard taking the phone and asking for support. The trial continues

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the 1 Pump Court page

Prison Law Barristers Working For You

Message from Stephen Field



Can I extend my best wishes and Season's Greetings to all Prisoners and to all those who have written to me and all whose cases I have been fortunate enough to work on. I have been very busy this month, receiving and replying to your letters, but also attending in the High Court arguing judicial review applications. The High Court dealing with these cases now sits in other cities, which makes for more convenience and speed for solicitors and prisoners. I have written a number of individual Advices in both Judicial Review and Appeal cases, and have been in the Court of Appeal and High Court on cases where the police and governors don't seem to want prisoners! (see "Latest Results" below). Please keep your letters coming to the Team.



Eleanor



Greg



Joanne



Lucy



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Shaun



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Message from the team

From speaking to you every day, we know that what you want is:

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- Barristers who have your interests at heart

The 1 Pump Court Prison Law Team is committed to providing advice, assistance and representation - fighting for you from the smallest prison adjudication to challenging the Secretary of State in the highest courts in the land.

We are happy to work with your existing solicitor if you have one, or to recommend one if you don't. Many of the members of our team are able to accept instructions from prisoners directly without a solicitor in appropriate cases*.

We are easy to talk to and give no-nonsense advice. If you have a Prison Law issue, please fill in the questionnaire in the left hand column. By providing the information requested you can ensure that we can deal with your enquiries as quickly as possible.

We look forward to working with you.

*Barristers who can accept instructions directly are: Stephen Field, Ajanta Kaza, Daniel Kingsley, Sam Parham and Terry Pedro.

LATEST RESULTS

Following a pre-action letter to the Governor of HMP Long Lartin, achieved the return of a lap top computer to the client.

¥ This month I been representing a prisoner in a Crown Court trial accused of assaulting a prison officer. I have also conducted the following Judicial Review cases.....

¥ the quashing of an unfair adjudication (R on the application of B v the Independent Adjudicator) where the defendant conceded the issue without the need for a Court hearing;

¥ permission to judicially review the ongoing delays in the Parole Board process has been granted in strong terms by the Judge (R on the application of C v Parole Board);

¥ permission has been granted in two cases of challenge in relation to recalls based on flimsy evidence (R on the application of O v Secretary of State for Justice and R (on the application of J v Parole Board);

¥ the Probation Service has agreed following pre-action correspondence to provide a new OASys to a prisoner who complained about inaccuracies in his present OASys (R on the application of W v Probation Service). Finally, two prisoners have been released from prison following challenges regarding the lawfulness of their detention (R on the application of A v Governor of HMP Pentonville and R (on the application of K v Secretary of State for Justice).

IMPORTANT NOTICE ABOUT TELEPHONE CALLS TO CHAMBERS

If the Prison Law Team are doing their jobs properly, they are simply not available to take telephone calls from prisoners during normal working hours (which inevitably involve early starts, late finishes and travelling time). Whilst Fran Springfield (our dedicated Prison Law Team Coordinator) and the clerks (Ian, Sian, Mycal and Johnny) do their best, we do not have a huge administrative support structure within the Prison Law Team, and the phone lines are open **Tues, Wed & Thurs between 3.30 p.m. to 5 p.m.** during which time a rota will be in place to take essential calls.

Questionnaire

Direct Access – Potential New Instructions

Name: Prison No.
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Do not worry if you do not complete all the questions fully, further instructions can be given in due course.

In your own words, what is the general nature of your complaint/query?

What do you realistically want to achieve in relation to your complaint/query (insofar as the law can assist)

Solicitor currently instructed in relation to this matter (if any) and/or your preferred solicitor if a solicitor also needs to be instructed:

Name of solicitor:

Address.....

Alternatively, I do not have a solicitor and would like you to suggest a solicitor should it be desirable to instruct a solicitor and barrister. I give my consent for you to speak with my past, current or future prospective solicitor about my case.

Signed

Date

Please complete this form and send it in an envelope clearly marked: **RULE 39: LEGAL CORRESPONDENCE** to Prison Law Team, 1 Pump Court Chambers, Temple, London EC4Y 7AB and we will reply forthwith.

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**"If something's wrong
do something
about it!"**

Met Cop's 'Corrupt Relationship' For Wife's Free Cocaine

A policeman passed information to a drug dealer in return for free cocaine for his wife, a court has been told.

Pc Mark Bohannan and his wife Denise had a "corrupt" relationship with dealer Syed Imtiaz Ahmed which involved making checks on police computer systems to provide him with details about other criminals and tip-offs about operations, Southwark Crown Court in London was told.

In addition, the 47-year-old Metropolitan Police officer did not input intelligence he gained about Ahmed on to the system, prosecutors said.

David Durose, prosecuting, said: "This case is about the relationship, and the Crown says the corrupt relationship, between these two defendants - a serving police officer and his wife - and a drug dealer called Syed Imtiaz Ahmed.

"Mr Ahmed was the co-ordinator of a drugs organisation responsible for the supply of cocaine, ecstasy and cannabis over a period of many years. "In short, the Crown's case is that over a period of time Ahmed received knowing assistance and information from Mark Bohannan, usually via Denise, which allowed Ahmed's large-scale drug dealing to remain undetected and unpunished.

"It also allowed Ahmed the facility to check up and locate people from information held in the police computer systems.

"In exchange, Ahmed supplied Denise Bohannan, who was a heavy user of cocaine, with free drugs, and on a few occasions gave money to the defendants as well."

Mark and Denise Bohannan, 56, who have been married for 20 years, deny conspiracy to commit misconduct in a public office.

They were arrested on May 10, 2007.

At the time, Mark Bohannan, a police officer with

more than 25 years' experience, was a field intelligence officer for the Met's Territorial Support Group, based in Catford, south London.

Ahmed, who also worked as an estate agent in Bexleyheath, previously admitted "his part in the offending in relation to his

drug dealing and his relationship with the defendants" and will be called as a witness in the trial, Mr Durose said.

The jury of five men and seven women was told the prosecution alleges Mark Bohannan - who worked an "enormous" number of hours, regularly doing 100 hours of overtime each month - used the access his job gave him to password-protected databases "corruptly".

"It is not the Crown's case that Pc Bohannan was not an effective policeman generally, nor is it the Crown's case that he did not work hard as a policeman generally," Mr Durose said. "But it is the Crown's case that insofar as his relationship with Mr Ahmed is concerned, he used the police computer systems corruptly and for his own ends."

The court heard Ahmed would phone the Bohannans to request information, which he would usually receive a day later.

Mr Durose said the prosecution would present



evidence of the history of the computer system usage, telephone bills, recordings of calls and documents which allegedly demonstrate the process.

The Bohannans first became acquainted with Ahmed through one of his childhood friends, who was the

partner of Denise Bohannan's daughter, the court heard.

Housewife Denise Bohannan had two children before she married Mark Bohannan - Danielle and Justin.

Mr Durose said Denise Bohannan, who told police she had used cocaine since the late 1990s, was supplied with her drugs by Ahmed or one of his "runners".

According to the prosecution, Denise Bohannan told Ahmed she could "find out information for him" because of her husband's position.

"She was offering to protect him from the police," Mr Durose said.

The court heard Ahmed was given details of planned police activity, addresses and previous convictions of individuals which he could use to avoid trouble or to track down people who owed him money, or to pass on to associates higher up in the drug dealing "hierarchy".

He was even able to find out if individuals had "grassed" on anyone when they were interviewed by police, Mr Durose said.

As the relationship between the couple and Ahmed developed, he began to "task" Mark Bohannan to do particular checks, it is alleged.

But the amount of information provided was not always enough to satisfy his wife's demand for drugs, the jury was told. Mr Durose said: "As Denise Bohannan's cocaine use increased, she began to give false information to score free drugs."

In addition, he told the court, her husband asked Ahmed to stop dealing drugs to his wife and suggested any cash payments for information be given to him.

From then on, Ahmed would "generally" only supply Denise Bohannan with free drugs in return for particular details he had asked for.

"Mr Ahmed did not give money to Mark Bohannan as a rule although there were a couple of occasions when payment was given in cash," Mr Durose said. "Mr Ahmed remembers giving Mark Bohannan £200 or £300 for a check."

The court heard that between 2002 and 2007 Ahmed ran an estate and lettings agency as a franchise through the internet and temporarily had premises in Broadway, Bexleyheath.

He began supplying drugs in the early 2000s, Mr Durose said, and used a "platform" telephone number service to divert calls to different handsets.

The Bohannans deny conspiring together on or before May 10 2007 with Ahmed and others unknown "wilfully to engage in conduct amounting to an abuse of the public's trust in a public office, such office being that of a Police Constable, Field Intelligence Officer, employed by the Metropolitan Police Service, being Mark Edwin Bohannan".

Top Essex Cop 'Fiddled Expenses'

A senior police officer has gone on trial charged with fiddling his expenses. Chief Inspector Jonathan Baldwin (right), 42, from the Essex police force, appeared at Ipswich Crown Court accused of fraud relating to false mileage claims.

The officer, who earns £48,000 per year, denies three counts of fraud relating to journeys made between December 2007 and March 2008.

"He made three claims which were blatantly false," said Gregory Perrins prosecuting.

"The fact that they were false must have been obvious to this defendant when he submitted the claims.

"To submit claims that were false was both dishonest and fraudulent."

The expense claims were for a "very small" amount of money - £310 in total, said Mr Perrins.

“The fact that they were false must have been obvious to this defendant when he submitted the claims.”

Jurors were told that Baldwin is a facilitator at the Windsor Leadership Trust. In January 2008 he made a claim for a journey to visit the charity on December 30 2007.

"The claim for 142 miles was entirely false, he never went on that day," said Mr Perrins. "In fact, he was working in the Essex Police headquarters."

Mr Perrins said that on two occasions Baldwin made claims for journeys which were "grossly exaggerated".

On March 31 2008 he made an expense claim for 440 miles from Essex to Windsor.

Mr Perrins said: "Anyone with a basic grasp of geography

would know it is not that far." Baldwin also asked to be reimbursed for 400 miles for a journey from Essex to Oxford to attend a police conference.

The journey was in fact only 202 miles, said Mr Perrins.

The court heard Baldwin moved to Essex Police from Wales to take up the role as an inspector in June 2007.

A month after he started a vacancy for acting Chief Inspector arose. Mr Perrins said the ironically the previous holder of the post stood down during an inquiry into "use of Essex Police resources".

"You might therefore expect the new holder of such a post to be aware of absolute integrity," added Mr Perrins. When he was interviewed Baldwin blamed the claims on "administrative errors".

He said that he had got the dates confused for the first charge. For the other charges he said he had put the wrong numbers down. The trial continues.



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the Lawrences page

Established 1991, Lawrences has won itself a well-deserved reputation in fighting for their clients. Since 2002 it has been an exclusively criminal practice and since James Smith-Wilds took over as Principal the firm has trebled in size. Today Lawrences' provides a seamless quality service for clients from the police station, through the Courts and all the way to the release of those unfortunate to receive a prison sentence. Lawrences is predominantly a legal aid firm specialising in criminal and prison law and recently achieved 'competent plus' status at peer review.

Such is their reputation that many people first experience Lawrences as prison law clients - having been referred by existing clients. Lawrences prides itself on fighting for their clients and always aims for excellence. Meet our prison law team on this page and contact any of them regarding our services. We can take telephone instructions, but please bear in mind that most fee earners are out of the office representing clients at court, the police station or in prison. Leave your name, prison number, and establishment details with our friendly telephonists and we will then write to confirm your instructions and then see you as soon as your prison can accommodate a visit. More than anything else, we want to help you.

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JAMES SMITH-WILDS



James Smith-Wilds:
Principal

Called to the Bar in 1999, James has always specialised in criminal law. Working in a specialist criminal law firm from the beginning James has always found the system lacking when it came to prisoner rights. Having cross-qualified and then taking over his own firm in 2004, James had the opportunity to provide a proper service for his clients throughout their passage through the criminal justice system, including any period of incarceration. A passionate advocate for justice and the rights of the individual, James established a prison law department based on strict principles and not merely profit. He holds the Certificate of Competency in Prison Law with Distinction and is always keen to get the best possible result for his clients; James fights their corner whatever their circumstances.



Helen Harris:
Head of Prison Law

Since graduating from university in 2003, Helen has been passionate about helping prisoners. In the last 6 years, Helen has built up an encyclopaedic knowledge of the Prison system having only specialised in Prison Law. Seeing prisoners on a daily basis, Helen is a regular at Adjudications and has built up a professional working relationship with many external adjudicators, often having prisoners referred to her and her representations being accepted without challenge. Helen holds the Certificate of Competency in Prison Law with Distinction and meets the new Supervisor criteria, soon to be made compulsory by the Legal Services Commission. Always ready to meet a challenge Helen has an excellent success record at both Adjudications and Parole Hearings.



Sally Smith
Prison Law Specialist

Sally's passion for Law began 14 years ago when she discovered a flair for the work, she qualified as an Accredited Police Station Representative early in 1998 and she has an enviable reputation with her clients for enthusiasm and success in both police stations and prisons. Sally has extensive experience in Police Station, Crown Court and Prison Law cases country wide. Sally has the Certificate of Competency in Prison Law with Distinction and she now specialises in providing advice and representation across the whole Prison Law range. Sally prides herself on having direct contact with her clients, listening to their problems, giving sensible and realistic advice and explaining every step in a way that is easily understood.



Annette Surkitt
Prison Law Specialist

Annette has worked in law for the last 8 years. Having only been with Lawrences for the last six months, such is the level of her specialisation, Annette too will meet the new Supervisor criteria by its implementation in October. Annette is passionate about Prisoner Rights and is always very keen to see the prisoner's view of things. Annette is an excellent addition to the Prison Law team at Lawrences and is extremely popular with clients. Annette, as with all the team at Lawrences, frequently travels up and down the country to see her clients. Believing that the clients' case is the most important issue and getting the best for the client justifies the travelling, ensuring continuity of care and an excellent level of service are the hallmarks of her professionalism.



David Lissaman
Head of the Crown Court Department

David has been working in the Criminal Justice System for 25 years and has specialised in Crown Court work for the last 10 years. David has been with us since 2007 and commented on how much more proactive we are in fighting for our clients. Indeed David noted that in the first 6 months at Lawrences he had conducted more appeals than he had for any other firm before. Since taking over the Crown Court department David has had an almost 100 per cent success rate at appeal. An active family man and keen rugby player, David, like everyone here at Lawrences, is a straight talking lawyer with a robust approach to cases who believes in giving accurate and impartial legal advice.



Mike Pryor
Consultant Solicitor

Mike has over 40 years experience in Crime, he originally qualified as a Solicitor in 1982 and has defended clients ever since. Mike became a consultant at Lawrences after retiring as the Senior Criminal Partner in a Leicester based firm. Primarily a Magistrates trial advocate, Mike handles the more complex prison law cases.



Mark Nichols

Mark has been a solicitor for over 19 years, and he ran his own specialist criminal law practice before joining Lawrences Solicitors two years ago. Primarily a court advocate, Mark is in the process of attaining his Crown Court rights of audience. A keen athlete, Mark approaches his cases with the same gritty determination that he has shown running the London and Paris marathons.



Shirley French: Practice Manager

Having worked at Lawrences since its inception, Shirley now runs the administrative side of the firm and is responsible for all practice issues prior to them being passed to James. This would include general file control and complaints. We have an open and honest attitude towards complaints, and whilst we may not achieve exactly what our client had hoped for, we always endeavour to do our best.



Paula and Jo

For many of our clients the first contact that they have with Lawrences will be with either Paula or Jo. Both of them have been telephonists with law firms since they left school and they have 25 years experience of handling clients between them. Friendly and efficient, always feel free to leave your details knowing they will be passed on promptly so that we can start working on your case straight away.



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HELEN HARRIS

Four Solicitors in £50m 'Mortgage Fraud'



Six people have appeared in court accused of taking part in a sophisticated £50 million mortgage fraud.

The accused - four former solicitors, a surveyor and a property developer - were at the centre of an investigation by the Serious Fraud Office (SFO). Investigators alleged that several banks and building societies were defrauded in a series of false mortgage applications. The suspects appeared at Southwark Crown Court, in London, where their case was adjourned until March 1 for a case management hearing. They have been charged with

conspiracy to obtain a money transfer by deception. All six were released on bail. The inquiry was launched by West Midlands Police in March 2006 after a complaint from Cheshire Building Society.

The building society said mortgages were secured on six commercial investment properties but not repaid.

In court were chartered surveyor Ian McGarry, 40, from Hertfordshire, and property developer Saghir Afzal, 47, from Birmingham.

They were joined by two Birmingham-based women, former legal company owner Fatema Patwa, 47, and her former employee, Hardeep Sodhi, 33.

Laurence Ferrigan, 48, a former partner at the CFB Partnership, based in Wanstead, east London, and Simon Lawrence, 48, a former partner at Darlington's Solicitors in Edgware, north London, were also in court.

Lawrence left Darlington's Solicitors on May 31 2005.



Crime 'Worse Than Ever'

Residents of areas plagued by crime said the problem has got far worse and this was despite a major Government crackdown.

The £100 million Youth Crime Action Plan funded extra police patrols in 69 "priority areas". It also paid for activities for young people on Friday and Saturday nights to help turn them away from anti-social behaviour.

But a survey published by the Department for Children, Schools and Families revealed that more people thought problems caused by yobs had got worse than thought things had improved.

It found that 27% of people said crime and anti-social behaviour by young people went up in the last year while just 19% said it fell.

A total of 48% said there had been no change and 6% said they did not know.

Children's Secretary Ed Balls said the Government had made "good progress" in tackling anti-social behaviour and youth crime.

He said: "We are clear that there are firm boundaries and clear consequences for those who overstep them - but support for young people and their families who try to turn their lives around."

But shadow Home Office minister James Brokenshire accused the Government of trying to "cover up" the bad news.

He said: "The Home Secretary admits

that Labour has been complacent on anti-social behaviour and the public are paying the price.

"When ministers don't face up to the challenge of combating anti-social behaviour, and instead try to spin bad news, then you know that the Government has completely lost its way.

"Communities up and down the country are suffering, yet the Government has wrapped police up in so much red tape that they spend more time filling in forms than policing our streets. We can't go on this way."

:: GfK NOP interviewed 2,750 residents aged 16 and over from Youth Crime Action Plan areas of England in November and December. (reopens - this page embargoed to 0001 Thursday January 7)

A separate survey revealed that four out of 10 people are afraid to leave their homes at night because of anti-social behaviour.

The poll for ITV's Tonight programme found one in five reported suffering threats, violence or serious damage to their property.

Half of those questioned claimed they had endured more low-level anti-social behaviour, such as shouting or swearing from yobs in the street.

Nearly nine out of 10 people called for tougher punishments for anti-social behaviour.

:: Nightmare On Your Street: Tonight is on ITV1 at 7.30pm tonight.

Last year Mr Johnson admitted the Government had been "complacent" on anti-social behaviour.

Liberal Democrat home affairs spokesman Chris Huhne said: "Despite the spin and £100 million, more people think anti-social behaviour has got worse in their area than think it has got better.

"The Government has clearly failed to tackle anti-social behaviour and their flagship Asbos have been proven to be just an ineffective gimmick.

"The best way to reassure people in these difficult times is to put more police on the beat to tackle crime and anti-social behaviour. The Liberal Democrats are the only party pledging to do so."

CPS Criticised



Prosecutors were criticised for keeping a mother waiting 18 months before dropping a murder charge against her. Saleha Khatun, 22, was robbed of the chance to grieve properly for her 10-month-old son Mohammed, her lawyer told the Old Bailey.

No evidence was offered against Mrs Khatun, who was due to stand trial next month, and Judge Richard Hone entered a formal not guilty verdict.

He said: "There is nothing I can usefully do except to express a regret that Mrs Khatun has been kept in a state of misery for this period."

Judge Hone said he would look at other cases going through the legal system to see if he can see any way of speeding them up.

Richard Whittam, QC, prosecuting, told the court that the decision to drop the case was after expert evidence was reviewed, and it was decided there was no realistic prospect of conviction.

Mohammed died in June 2008 after his mother took him to hospital saying he had fallen off a bed at the family home in Whitechapel, east London.

The account was rejected but half-a-dozen prosecution experts disagreed on what had caused the injury which

had led to bleeding and swelling of the brain. Mrs Khatun had been charged in June this year and bailed. She entered a not guilty plea at the court in August. Michael Turner, QC, defending, said the case had "moved swiftly" through the court but the delay had been caused by preparing the case.

He added: "I very much hope that a lesson will be learned from this case." In other parts of the country a woman of impeccable character would have been allowed to grieve properly.

"In this jurisdiction, she was charged with murder. Her life has been on hold," he said.

"Where the only evidence is one of experts, and they do not agree, they should not be prosecuted."

Another mother, Fatima Miah, 27, was acquitted at the Old Bailey in July after a judge said the opinions of medical experts were not enough to convict her of killing her baby Anas.

Fraud Accountant 'Held in Jail close to Child'

An accountant who swindled £470,000 from her employer to fund an extravagant lifestyle, including a lavish dream wedding at a cliff-top hotel, has been jailed for two years - with the judge asking the Prison Service to ensure she is held at a jail which would allow her access to her two-month old child.

Joanne Kent, 26, wept in the dock as Wolverhampton Crown Court heard how she was caught despite making sophisticated attempts to cover her tracks by deleting computer records.

The court heard how the married mother-of-two, of Blue Anchor in Fraddon, Cornwall, handed Armani bracelets out as gifts at her wedding to husband David in Newquay in 2007.

Kent, whose children are aged three years and two months, pleaded guilty at an earlier hearing to theft and fraud against Walsall-based Wilson UK Ltd.

Mark Phillips, prosecuting, told Judge Michael Challinor that Kent now faced an application under the Proceeds of Crime Act to recover money and assets gained illegally. Her exact wealth is still being assessed.

Kent, who sat with her head bowed throughout almost all of the hearing, perpetrated 37 individual frauds against Wilson, which makes equipment for the oil industry.

Mr Phillips said Kent joined the accounts department at Wilson - which has an annual turnover of up to £17 million - in 2002 and worked her way up to the position of team leader.

Between June 2005 and April 2007, Kent took £475,892 by diverting payments apparently being made to creditors into her bank accounts.

"She used the money in part to fund an extravagant lifestyle,"



Mr Phillips said. "By her own admission, she admits she spent £50,000 on her wedding.

"The hotel bill came to £37,134, without flowers, cars and fireworks on the beach."

Kent, formerly of Cannock, Staffordshire, also invested in property and told friends that she had bought a £48,000 Mazda and a £30,000 Audi A8.

"She had told members of staff that she had inherited money from her grandfather," Mr Phillips added.

Passing sentence, Judge Challinor said it appeared the fraud was only traced because Kent created a false invoice relating to an American company in pounds rather than dollars.

"It was a relatively sophisticated fraud," the judge said. "Only a mistake, as to the type of currency used, alerted the company to this fraud.

"Most of the money was squandered on an extravagant lifestyle, either for your benefit directly or in order to show off to your friends."

Louise Howard, defending, said Kent's offending began when her grandfather, who she regarded as a parent, fell ill.

"She initially began offending to financially support her grandparents," the defence lawyer submitted. "After her grandfather passed away, it's conceded that the offending began to escalate."

Kent's husband is now likely to look after their children, although Judge Challinor asked the Prison Service to examine whether the fraudster can be held at a jail which allows her to spend some time with her younger child.



Straw on Cops: 'You're Just Lazy'



Justice Secretary Jack Straw sparked anger among police officers by saying he was "sceptical" about their complaints of being overburdened by bureaucracy.

Mr Straw dismissed often-quoted claims that hours were needed to fill out forms after an arrest, and said some officers simply preferred "staying in the police station in the warm" to going back out on the streets.

His remarks were described as "irresponsible and inflammatory" by Simon Reed of the Police Federation of England and Wales, while the president of the Association of Chief Police Officers (Acpo) Sir Hugh Orde said they did not reflect the dangers and hard work faced by officers every day. Opposition parties accused the Justice Secretary of being out of touch with reality, blaming the Government for piling ever more bureaucracy on the police.

Mr Straw told BBC Radio 4's Today programme: "I am rather sceptical about the excuse that the police are overworked and therefore can't change.

"With a given level of resources, some police forces and some parts of police forces do much better than others. It is the ones who are the less efficient

and who have the wrong approach to the public who fall back on this argument that they are overworked.

"One police officer says it takes four hours to fill in the forms, whereas I can tell you that good police officers will take an hour to fill in the same forms because they want to get out and catch criminals.

"Some police officers - whatever they may say - actually enjoy staying in the police station in the warm.

"It is very striking around this country that if you go to one police force it is up for it, getting crime down and really motoring, while the adjacent force - serving very similar communities - has not got it together. It is not about money, it is about leadership, organisation and culture."

Sir Hugh said: "The overwhelming majority of police officers go to work to do a good job and are committed to keeping the public safe. Across the country police forces are reducing crime and tackling serious offenders, whilst at the same time operating under a robust inspection and monitoring regime in increasingly complex operating environments.

"These comments are not constructive and do not reflect the hard work and danger that many officers face day-to-day."

Police Federation vice-chairman Mr Reed told the BBC: "It wasn't police officers who brought in 3,000 new laws, it wasn't police officers who brought in a 30-page prosecution file and it wasn't police officers who brought in multiple forms and authorities to use a pair of binoculars.

"This was all done by politicians. Police officers are not the architects of bureaucracy; they and the public are the victims of it."

Shadow home secretary Chris Grayling said Mr Straw's comments showed ministers were "utterly out of touch with what is really happening in policing".

Mr Grayling said: "They heap more and more bureaucracy onto our police, leaving them filling in form after form - often with the same information on it - and then pretend that nothing is wrong.

"It's not police officers who are sitting at their desks in the warm - it's ministers stuck in their ivory towers. They should get out a bit more and find out what is

really going on."

Liberal Democrat home affairs spokesman Chris Huhne said: "It is a cheap shot to blame individual police officers for the failings of their forces.

"Police forces vary enormously in their effectiveness, even though they face the same unnecessary bureaucracy, and the way to improve laggard forces is through strong local accountability with elected police authorities."

Mr Straw also said that mergers between some of the 43 police forces in England and Wales were "likely" in the near future as part of reforms to the way the service is structured.

Plans developed by former Home Secretary Charles Clarke in 2005 to force through wide-

scale mergers were ditched after meeting resistance from chief constables, and the Government's recent white paper ruled out compulsory mergers.

But recent economic constraints are understood to have led some forces in areas such as Hertfordshire and Bedfordshire or Kent and Essex to consider coming together on a voluntary basis.

Mr Straw said: "It is certainly the view of the Home Secretary Alan Johnson and myself that things are going to have to change.

"Alan Johnson's view is to do it in a more organic way, so there are mergers which are likely to take place of police services, which must make sense."

Sir Hugh said Acpo was not to blame for blockages of mergers.

"We need a proper and independent review of the current structure to determine the best way forward that clearly recognises the critical importance of community policing, leadership and workforce development and equally recognises the national and international threats we face and also have to deal with," he said.

"This review needs to take place within a wider public debate on the complex role and resourcing of the police service."

Following his comments Tory MP Ed Vaizey

(Wantage) accused Mr Straw of calling police officers "lazy", adding: "Have you not added insult to injury having already cut police pay?"

Mr Straw told MPs: "What I was trying to do was to say ... that for a given level of resources, some parts of the public service do very much better than others; that's true for the health service, it's true for the courts, it's true for the prisons - it is also true for the police service.

"The remarks that I made was endorsed by quite a number of police officers who understood what I was saying."

Mr Straw said he was a "100% supporter of the police and what they have done to reduce the level of crime".

"That cannot however prevent us from saying that this service is doing very well, that's doing less well, why is there a difference."

ARORA LODHI HEATH

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Mackesys Solicitors has been a major criminal practice in South London for more than 20 years and holds three Criminal Contracts, awarded by the Legal Services Commission. Our Prison Law Department looks after the Rights of Prisoners, whether they are long-term or only just detained.

Our Specialist Prison Law Team is headed by Fosia Jury and Darren Cousins, both of whom have been accredited by the Institute of Prison Law and other members are Clint Ambrose, Charana Sangeewa, Antonita Nagalingam and Nasreen Hussain who have all been through a thorough training and accreditation process.

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We are acutely aware of how distressing and confusing issues surrounding imprisonment can be for both the person detained and their families, and will do everything we can to alleviate the strain placed on those involved.

Prison Discipline

Have you been charged with an offence against prison discipline? Are you now waiting an adjudication either before an independent adjudicator or prison governor?

We can represent you, in person, at the hearing before the independent adjudicator. However, this representation is not available before the governor, BUT we can forward representations on your behalf to the governor.

Parole

Are you eligible for Parole soon? Has your parole dossier been served on you and you don't know what to do with it?

We can help you by providing representation either on paper or at an oral hearing.

Release from Custody

We can assist in the following early release applications:

HDC

Parole Licence

Compassionate Release

Temporary Licence

Early release

You will be subject to licence conditions. Should you breach any of the conditions you will be liable for revocation and recall to prison. If you have been recalled to prison for breach of licence conditions, we will be able to assist you and, where appropriate, represent you at an oral hearing before the Parole Board.

Appeals

"Justice for all"

The criminal justice system can and does get it wrong. We have solicitors who specialise in appellate work, both in appeals against conviction and sentence.

Appeals against conviction

ALL LIFE SENTENCED CASES CONSIDERED

We understand that many things can result in a wrongful conviction such as:-

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- Police error or misconduct

- Improperly obtained confessions
- Flawed identification
- Flawed scientific or forensic evidence
- Poor defence lawyer team

WE CAN GET LEGAL AID UNDER THE ADVICE & ASSISTANCE SCHEME (where applicable) Please write to us or call for further details.

We can help! We can look through your case and provide you with an opinion on whether you have any merits in appealing. This work is time consuming and involves a thorough analysis of your case but there might be fresh evidence that has come to light which was not available at the time of your trial. All of this matters.

It can be a long and difficult task in overturning a conviction and those who have been wrongly convicted face a struggle to put the wheels of justice into reverse. It is so important that we work together as a team to ensure that we get things properly prepared and right before lodging any grounds for appeal. You will need a committed solicitor throughout this process.

Due to the time consuming nature of appeals against conviction, we only concentrate on the most serious cases where the client has been sentenced to a term of imprisonment of at least 10 years or more.

Appeals against sentence

Did an error occur in the sentencing process?

Was the sentence passed much more than was expected?

Was the sentence not justified by law?

If any of the above rings true, call us. We can look into your case and advise on whether the sentence can be reduced based on the above principles.

Mackesys Family Solicitors

Mackesys specialises in Family Law, including divorce, cohabitation, domestic violence and we have major expertise in cases involving children, including child abduction.

Our solicitors are all specialist family lawyers and are committed to providing an excellent and sympathetic service to all of our clients. They understand the trauma and distress involved in family breakdown and aim to offer clients a friendly and straightforward service, with a clear explanation of the options available to them. This then enables clients to make well informed decisions with the knowledge that they are doing so having received expert advice.

Mackesys is also committed to legal aid and we have been approved by the legal services commission and currently hold a family law contract with them.

SPECIALIST AREAS

CHILD ABDUCTION AND RELOCATION

We represent parents in this country and abroad in conventional cases where children have been removed without parental consent. If you believe there is a risk of your child being taken abroad by a relative or your ex-partner without your consent we can act quickly in an emergency to obtain court orders to prevent the removal.

RESIDENCE DISPUTES

Where parents cannot agree about the arrangements for their children the court can make orders under the Children Act 1989. The court can therefore decide where a child should live in the form of a residence order.

CONTACT DISPUTES

When parents cannot agree the arrangements for their children the court can make orders under the Children Act 1989. The court can decide how often the child should see another parent or relative in the form of a contact order.

CARE PROCEEDINGS

We represent parents, children and others in disputes with local authorities relating to:

- Care orders and emergency protection orders, including emergency hearings
- Supervision orders
- Secure accommodation orders
- Child protection investigations
- Adoption

We can also advise extended family members on what they can do to ensure that they are assessed by social services as carers for children whose parents are not able to look after them.

DOMESTIC VIOLENCE

In these very traumatic and distressing situations we can offer sympathetic and practical legal help. We offer an immediate response and urgent same day appointment (where necessary).

We can help with:

- Protection against violent partners or other family members by way of non-molestation orders.
- Cases of harassment
- Dealing with the occupancy of the family home in cases of violence
- Liaising with groups offering emergency support
- Liaising if necessary with the police and other agencies.

ANCILLARY RELIEF

Our Ancillary Relief department deals with all aspects of financial provision following the breakdown of a marriage including:

- Division of matrimonial home/property and other assets/money
- Transfer of tenancy
- Maintenance
- Injunctions including the freezing of assets
- Pensions
- Cases including a foreign element
- Financial provision for children and property
- Children - disputes between cohabitants

If any of the above affects you or your family - talk to us!

Mackesys Solicitors

Prison Law Dept: 207 New Cross Road, London, SE14 5UH

Tel: 0207 639 0888 (24 hours)

Family Law Dept: 7 & 9 Lewisham Way, London, SE14 6PP

Tel: 0208 244 0444

How does a survivor of **Child Abuse** feel?

Peter Garsden, Solicitor and President of the Association of Child Abuse Lawyers explains.

My first case came along in 1994 from a former criminal client (I had been a Duty Solicitor then for 12 years) who told me that he was the victim of abuse in a care home called Greystone Heath in Warrington.

The police had told him he ought to seek legal advice, but wouldn't tell him why. I soon became the lead solicitor of a group of 300 Claimant at 5 children's homes in the North West. Thus over the years I must have read the accounts of over 1000 survivors of emotional, physical, and sexual abuse. I quickly realised that although all cases are different the sort of symptoms my clients suffered from were remarkably similar. I have thus decided to write an article in order to provide those readers who are victims of abuse with the comfort of knowing that there are thousands of other survivors who feel exactly the same.

Commonly my clients suffered poor family backgrounds, including lack of parental love and affection, mental illness, alcoholism, and neglect. Consequently, when admitted to the care home they were desperate for attention. Often behavioural problems and attention seeking acts resulted. Soon a sympathetic "father figure" would appear promising special treatment, protection, support and treats such as sweets, cigarettes, or football kit. So starved of affection was the boy or girl that they leapt at the chance of attention from someone they thought they could trust. Soon the spoiling took on a more sinister form and turned into grooming for abuse. By then they were hooked and under the spell.

The child would be told that there was nothing wrong with the touching of private parts, it would also become "our little secret". Sometimes the abuse was accompanied by violence in a "Mr Nice, Mr Nasty" psychological game. The child, now hooked on the affection, and utterly dependent upon it would do almost anything they were asked including giving sex to visiting strangers, other children, and becoming "junior soldiers" in charge of other children. In the large dormitories these children would often deal out bullying, and abuse of other children by passing on what they had been taught by their abusive care workers.

Generally the abusers had a voracious sexual appetite. No relationship with a child lasted very long and it was common for several relationships to be going on at once. Inevitably the abuser would

move on. Sometimes the child would be relieved, but on other occasions the child would feel let down, angry and deprived of the affection, which they had previously enjoyed and craved. This is when the betrayal of trust set in.

The extent to which the victim has insight into how wrong the abuse was depends on the circumstances and previous experiences. A child who has been abused from a very young age at home may not consider it as wrong as someone who has never experienced the like before.

Certain sexual acts with such a young child would be physically painful and upsetting. Other less invasive forms of abuse might have actually been enjoyed in all innocence at the time. Certainly the feelings of betrayal soon sets in when the child realises how wrong and harmful their experiences were. Inner anger soon eats away at the soul. Guilt is felt because the victim thinks they should have stopped the abuse happening. They think they should have reported the abuser to the authorities. Ironically they often complained but were told that all children in care were liars. When the realisation dawns that the abuser went on to abuse countless other innocent children, the adult survivor feels even worse.

Obviously the innocent child could have done nothing to stop the abuse happening. The intuitive adult, however through older eyes is racked with guilt and the thought "if only I had done more at the time". This guilt turns into inward anger and severe mental illness is usually the result. At the very least the victim tries to anaesthetise with excessive drinking or drugs.

The child can never again trust in any adult, particularly those in authority, because the first person they put their trust in abused them. As a result they become anti-authoritarian, frequently have arguments with employers often turning to violence, and are often dismissed. They suffer damage because of their ability to hold down a job, which is something we usually claim as compensation. Because the survivor often spends much of his/her time at Her Majesty's pleasure such claims are difficult to sustain. The lack of trust in authority often extends to ourselves as professionals, our experts (particularly psychiatrists we instruct), our opponents and their experts..

Undoubtedly the damage is lifelong and enduring particularly when the abuse takes place during

Compensation for Survivors of



CHANGES IN THE LAW....

The Law now allows you to make a claim for compensation - even if the abuse you suffered happened many years ago.

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- ✓ We specialise in cases against Children's Homes, other institutions and social services lack of care.
- ✓ Legal Aid is available.

If you suffered abuse in Childhood and you think you may have a claim speak to one of our specialist male or female solicitors in confidence.

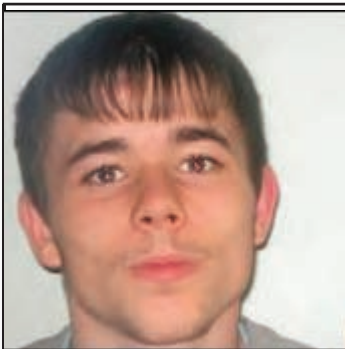
Abney Garsden McDonald, Solicitors
37 Station Road, Cheadle Hulme, SK8 5AF.
Tel: 0161 482 8822

puberty, because at that time the personality is forming. The mistrust and effects of the abuse thus becomes part of the child's personality. The whole story is very sad. I started to wonder how many of the inmates in our prisons were the victims of abuse in childhood and how many crimes owe their cause to something that happened many years ago. Survivors often tell no one and take the story to their grave.

Peter Garsden is a partner in Abney Garsden McDonald solicitors of Cheadle Hulme, Cheshire. He leads a department of 18 staff who specialise in Child Abuse Compensation claims.

Peter has written articles for the Legal and National press, lectures on the subject and has much experience of radio and television. He is also the founder and President of ACAL (Association of Child Abuse Lawyers). His contact details are shown above.

'Unduly Lenient' Case Referred to the Court of Appeal



A serial robber described as a "modern-day Oliver Twist" jailed last month for seven years for a string of attacks on wealthy

women, has had his sentence referred to the Court of Appeal by the Attorney General on the basis that it is 'unduly lenient'.

Adina Kohn, whose clients include Hollywood stars Kate Winslet and Sam Mendes, had her finger broken by Tommy Puhlhofer as he struggled to pull off her engagement ring after ambushing the 55-year-old in Hampstead, north London. Days earlier three men led by the 21-year-old had threatened to harm the baby of a young mother pushing a pram in Notting Hill, west London, unless she agreed to hand over her valuables. He also threatened two other women with a claw

hammer while out on bail for acting as a getaway driver in two cash robberies. Puhlhofer, from North Kensington, pleaded guilty to five counts of robbery and one of aggravated vehicle taking, which Judge Christopher Hardy described as a "shocking series of violent crimes". He also pleaded guilty to two robberies, one of which netted £50,000 and another £2,500 - a security van driver was stabbed during one of the robberies while police pursuing Puhlhofer had bullets fired at them from his vehicle. A spokesman for the Attorney General said: "I can confirm that the Attorney General has referred the sentence to the Court of Appeal as unduly lenient."

When can a sentence be referred back to the Court of Appeal for undue leniency?

Peter Johnson, Converse Deputy Editor explains:

The Attorney General has the power, under section 36 of the Criminal Justice Act 1988, to refer to the Court of Appeal a sentence passed in the Crown Court for review which appears to be an unduly lenient sentence.

This power only applies to sentences imposed for certain serious offences such as murder, rape or robbery, but others can also be referred such as sexual offences, especially those involving children, child cruelty, threats to kill, certain serious frauds, certain drugs offences, racially or religiously aggravated offences, or even attempting or inciting any of these.

If the sentence is for an offence which falls within the scheme, the power to refer is subject to a strict 28 day time limit from the date that the sentence was passed - it cannot be extended.

The Attorney General can only refer a case to the Court of Appeal where she considers the sentence to be unduly lenient.

By way of background, the Court of Appeal has said that a sentence is unduly lenient where "it falls outside the range of sentences which the judge, applying his mind to all the relevant factors, could reasonably consider appropriate". Therefore in order for the Attorney to refer it to the Court of Appeal it must be not be a sentence that is just 'low' or 'lenient', but rather it must be a sentence which is "manifestly not sufficiently severe" (Attorney General's Reference 51 of 2003 [2004]).

Even then, the Court has a wide discretion as to whether or not to interfere in such cases.

Where the Court does consider that a sentence was unduly lenient, they will not simply replace the sentence with that which they considered should have been passed in the first case - they give a discount on that.

This is because the Court takes into account the fact that the offender has been put through the sentencing process a second time and gives a discount for this element of "double jeopardy".

This means that it is only where the sentence passed is significantly below the sentence any Judge could have passed that the Court of Appeal will actually interfere.

Decisions on whether or not to refer cases must be taken by the Attorney General in person, it is not a decision that can be made by a third party - only the Attorney General herself.

In over 90% of cases that have in the past been referred by the Attorney General to the Court of Appeal for being unduly lenient, the Court of Appeal has increased the original sentence imposed at the Crown Court, and there is no appeal against that increase.

CONSCRIPT

Letters to the Editor.....

INSIDE TIME & UNLOCK

I'm pleased to see that Converse has decided not to rise to the continuous slurs from Inside Time, a newspaper in the pocket of the prison authorities and which doesn't really deserve the title of newspaper at all; its more like a comic. Yesterday I managed to get hold of a copy of their much-heralded 'Information' book, in the words of Nan Taylor, of Catherine Tate fame, "what a load of old shite!"

The quote on the back from Bobby Cummines of UNLOCK (a charity that does absolutely nothing for prisoners and who are just as useless as the Inside Time book) states that the book is free - it should be free because its worthless, but it isn't free at all, Inside Time charge £35 a time for it - its no match at all for The Prisons Handbook!

Incidentally did you ever get to the bottom of their claim to be a not for profit company where all the Directors seemingly work for nothing?

Hardeep P
HMP Whitemoor

Peter Johnson replies: We see no point in exchanging blows with IT, we just let Converse speak for itself. Your view of Inside Information is one held by many who have seen it - I haven't and so can't comment.

Similarly your view of UNLOCK is also a view held by many people, and you and they are entitled to your opinion.

Inside Time presents itself as a 'not for profit company', and while you're right that its web site claims its Directors work 'for no financial reward of any kind' that is simply a lie - even their own accountants Grant Harrod have confirmed in writing that Inside Time Directors John Roberts and Eric McGraw are both paid Directors - they've never produced proof to counter our claim they are paid up to £8,000 a month. As for your statement Inside Time is in 'the pocket of the prison authorities' they would of course deny that - although its worth noting they have just appointed a certain Geoff Hughes, of Llansoy, Usk, as yet another Director of Inside Time Ltd - I wonder, could that be the same Geoff Hughes who was the former - and not widely regarded - Governor of HMP Belmarsh? Enough said?

OUTSIDE HOSPITAL

Between July and November 2007 I was transferred from HMP Preston to a local outside hospital as I had become unwell and was later diagnosed with schizophrenia and was in the hospital for five months. While there I applied for benefits and received two weeks benefits before being told that I could not receive any

more as I was classed as a prisoner. I was baffled by this as I was in an outside hospital, with other patients who were not inmates, I received no money from the prison to help me during this time, so I could not buy any toiletries, could not keep in contact with family and friends, the hospital gave me food and toothpaste but I received nothing more.

I read that people like Peter Sutcliffe and Ian Brady claim benefits every week, so why was I denied them?

Tommy L
HMP Blundeston

Peter Johnson replies: Although you were in an outside hospital you were still classed as an inmate because you had not been formally transferred to the NHS secure estate - like Peter Sutcliffe and Ian Brady have been and which is why they can claim benefits and you could not.

That is not the end of it however, being in outside hospital the prison is required to pay you a daily allowance under PSO 4460:

5.4.1 Prisoners who stay overnight in an outside hospital, whether on temporary release or under escort, are not paid earnings but are eligible for an allowance. In these circumstances prisoners may be allowed to keep the cash in their possession.

Mandatory:

- Prisoners who stay overnight as patients must be paid a hospital allowance to cover personal expenditure.

- Establishments must pay at least the rate of allowance set out in Annex B

- If a prisoner returns to work mid-week after a stay in hospital s/he must be paid for the work s/he does

- An appointment at hospital as a day patient, which has been made or approved by healthcare staff, does not attract an allowance, but the prisoner must continue to be paid at their relevant rate of unemployment, employed or standard pay.

Annex B sets out the allowance as follows:
Outside hospital allowance
The allowance for prisoners staying in hospital is £4-35 per week or 60p

per day Governors have discretion to increase this allowance if it is justified.

If you spent five months in the local hospital and HMP Preston did not pay you this allowance then you should make a claim for it using the request complaints system - arguably you can claim it back even now and with interest - so good luck.

OASYS - HOW DOES IT WORK?

I write in relation to OASys and its method of scoring, past offences and the present rating for the offence imprisoned. And who or what department decides it?

Is it open to manipulation, to increase a score to maximum in order to increase a prisoner to 'high risk'?

Emphasis is put on risk factors identified in OASys, so linking or misleading information can add that one or two points which can add years to imprisonment in the case of indeterminate sentenced inmates.

I'm on a 12 month tariff and so far I've been in for six years, with no adjudications, 35 educational and vocational certificates!

Gerard N
HMP Garth

Peter Johnson replies: The first point to make is that an assessment of OASys is beyond the length of this reply. You should read the 260 page OASys Manual for a full explanation of how the system works and its safeguards - a copy should be available from the prison, although as its not a PSO some prisons refuse access to it, however a copy can be downloaded from the Google Group 'Prisoners and the Law.' OASys was introduced in 2002 as a new national system for assessing the risk and needs of an offender.

OASys is designed to:

- assess how likely an offender is to be reconvicted
- identify and classify offending-related needs, including basic personality characteristics and cognitive behavioural problems
- assess risk of serious harm, risks to the individual and other risks
- assist with management of risk of harm
- link the assessment to the supervision or sentence plan
- indicate the need for further specialist assessments
- measure change during the period of supervision/sentence.

There are 12 sections to OASys and these are:

Section 1: Offending information
Section 2: Analysis of offences
Section 3: Accommodation
Section 4: Education, training and employability
Section 5: Financial management and income
Section 6: Relationships
Section 7: Lifestyle and associates
Section 8: Drug misuse
Section 9: Alcohol misuse
Section 10: Emotional wellbeing
Section 11: Thinking and behaviour

Section 12: Attitudes.

Scoring the individual Sections 1-12 of OASys is fairly straightforward. The range of scores for all individual items is 0, 1 or 2; where 0=No, 1=unsure and 2=Yes. The items within each section are then totalled to produce an overall score. This score is recorded in the box provided at the end of each section. The possible range of overall scores is from 0 to 168 on both OASys 1 and 2. It is unlikely that many offenders will score close to 0. This would indicate the offender had no criminal history and no identifiable offending-related needs. Nor is it likely that many offenders will have scores above 150 as this would indicate a very substantial criminal history along with problems in most offending related areas.

Scores of 40 and below are a low risk, 41-99 are a medium risk and scores of 100 or more are high risk.

The system is not obviously open to manipulation because factors are either present or they are not, but it is possible for a factor, such as a record of drugs or alcohol offending to be marked present when there is no history.

STRAW SAYS FEMALES SHOULDN'T GO TO JAIL - I'LL BURN MY 'Y' FRONTS

I wish to declare my disgust and outrage at Jack Straw's comments (Converse December 2009) in respect of women prisoners.

I think women's rights activists will support me and anyone else who stands for equal rights across the board when I say that women fought for equal rights for decades in the last century. Many women still feel men are more equal when it comes to certain things, ie wages and certain job roles, so why does Mr Straw think that women can be sentenced more leniently? Surely equal rights apply across the board? Mr Straw says: "Women offenders are different, a large proportion of them have drink and drug problems and also self-harm..." - well the same can be said for male offenders - so would Mr Straw have the same views on us?

Somehow I don't think so! So I stand up not for the rights of the bra burning feminists but the seldom heard of 'Y' from burner whose views and rights are normally overlooked simply because we are male!

People stand up for womens rights left, right and centre, so is it not fair and just to hear and enforce the man's rights in an equal and modern society? Women have their own little clubs, ie car insurance firms, if a man tried a stunt like that these bra burners would be right on their high horse wouldn't they? Get a back-bone Britain, you need to remain fair across the board and not contort then when it suits. We used to be 'Great Britain' where has our greatness none now?

Andrew C
HMP Forest Bank

He knew my hand was there - and still slammed the door



This wasn't his sentence and it's not yours! You're in prison to do your time - and that's all.

If you've been the victim of violence in prison you don't have to just accept it. The powers-that-be probably won't help you...see if we can.

We have a dedicated team with experience in claims against the prison

service and operate across the entire country, so contact us at:

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708-710 Wilmslow Road, Didsbury,
Manchester M20 2FW
enquiries@amelans.co.uk

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IPP COURSES

As an IPP sentenced prisoner I am heavily reliant on the completion of my sentence plan in the hope of ever reaching and being granted parole. But now, just two weeks from my Parole Board hearing and a year over a two year tariff, I am being told that I have to do the HRP course as well as other additions to my sentence plan. Now apart from the fact that three years has elapsed in which I could have been directed to do these coursed, they are all totally irrelevant and pointless to my offence and offending behaviour. I committed the offence of GBH against a male, and have no history of domestic violence what so ever. As I understand it the HRP course is not the most popular course run by the Prison Service and, given that it is still fairly new, attendance is not exactly sought after. I feel I am being intimidated and manipulated into wasting at least six months of important time to complete a worthless course. This is not the first time that this has been done to me, but its only now that I find it threatening to prolong the amount of time I am going to be spending in custody. I have also recently read in the paper that there is going to be a national database of people with domestic violence issues being compiled and I fear that even attendance on this course, without ever having committed a offence, will be enough to give the relevant powers a cause to add my name to something I shouldn't really ever be on.

Can you help?

DS

HMP Norwich

Peter Johnson replies: Not for the first time has Converse heard from an IPP prisoner trapped in the nightmare in which you currently find yourself. HRP, is the 'Healthy Relationships Programme.' The HRP is designed for men who have either been convicted of, or admit to,, abusive and violent behaviour in the home and who have been assessed as a risk of being violent in their intimate relationships.

If you have never been convicted of, or admitted to, abusive and violent behaviour in the home, then it is possible that you still qualify for the course by having been assessed - via OASys - as someone at risk of being violent in their intimate relationships.

I'm not saying that assessment is accurate, simply that the two routes for a place on the course are either by convictions or admission, or by assessment; the latter would seem to be the case here.

If you feel the assessment that you

should do this course is irrational, that is it is without any legal merit and is a decision that no-one applying their mind properly to the facts of your case could have reached, then you can challenge the decision in the High Court by way of Judicial Review - I should caution you that the test of 'irrationality' is a very strict one, but any lawyer who advertises in Converse will be able to advise you on the merits of bringing such a challenge.

CELL CERTIFICATES

I read with interest the letter from one of your readers in the November issue of Converse about Cell Certificates - F1021A. I have been given the runaround by HMP Lewes as I cannot believe that the cells in the seg unit are fit for use, I would not let a dog use them. I asked to see the Cell Certificate and was told that the governor was not inclined to let me see see this.

I would also like to know why Converse is later here.

Paul W

HMP Lewes

Peter Johnson replies: Section 14 of The Prison Act 1952 states:

(1) The Secretary of State shall satisfy himself from time to time that in every prison sufficient accommodation is provided for all prisoners.

(2) No cell shall be used for the confinement of a prisoner unless it is certified by an inspector that its size, lighting, heating, ventilation and fittings are adequate for health and that it allows the prisoner to communicate at any time with a prison officer.

(3) A certificate given under this section in respect of any cell may limit the period for which a prisoner may be separately confined in the cell and the number of hours a day during which a prisoner may be employed therein.

(4) The certificate shall identify the cell to which it relates by a number or mark and the cell shall be marked by that number or mark placed in a conspicuous position; and if the number or mark is changed without the consent of an inspector the certificate shall cease to have effect.

(5) An inspector may withdraw a certificate given under this section in respect of any cell if in his opinion the conditions of the cell are no longer as stated in the certificate.

(6) In every prison special cells shall be provided for the temporary confinement of refractory or violent prisoners.

That, as they say is the law - and it remains good law, but it was also almost half a century ago; what was then called accommodation certification is today called a Validation Statement but they are still the same thing.

I do not mean by that explanation that cells do not have to have certificates, they do, they have to be approved for heating, lighting and ventilation and an active cell bell system, the Act says this must be done by an 'inspector' but in today's changed world that is something which would fall under the auspices of the Regional Custodial Manager - the old 'area manager' in effect.

While all the cells have to be certified as fit for purpose this is done these days in electronic format, its doesn't mean that the requirement to certify is any less necessary but it does mean that whereas long ago the Governor could have copied the actual certificate with the signature of the inspector now that is not so easy to do as the whole process is done online on the Prison Service intranet.

The seg unit at Lewes (F.wing) is a mess I think everyone accepts that and it has now been decided to close it in the near future. Another factor is that the Certification process relates to that accommodation which is on the Certified Normal Accommodation - the CNA - and seg cells do not normally come under the CNA because they are not cells in which inmates are normally located. However that doesn't mean they do not have to be certified, they still must be so because they are used for housing inmates for however long or short a period.

In terms of Converse arriving late, our December edition was printed on December 15th and signed for at Lewes on 17th - why it took so long to get from the gate to the library I don't know but ask your governor for an explanation.

We always put the next delivery date on the bottom right back page of each edition - that is the date it will be delivered to the jail weather permitting, the next edition will be delivered on 11th February.



CERTIFICATE OF COMPETENCY IN PRISON LAW

I am writing about the Prison Law Course that is available for inmates from the Institute of Prison Law, to ask if you can give me some more details, is it a field inmates can work in for example after release, what does it cost, is there any funding available, what level of education does it require - sorry lots of questions!

Gordon O

HMP Wandsworth

Peter Johnson replies: This course is available to inmates though you must have access to a DVD player in order to watch the eight DVD lectures which comprise the course, and access to a

computer which has Adobe Reader on it to view and/or print off the Modules. The cost of the course is £99+VAT per module (there are 8 modules in all) and the modules are not available separately; the course must be purchased as a single entity. In terms of funding for the course, the cost is normally £930 inc VAT but it is half price to the inmate (£455) as we have a benefactor, who does not want to be named, who pays the other half of the course per prisoner. If you need funding to obtain the £455 I would suggest that you seek advice from your education manager.

In terms of being able to use this qualification in terms of employment as a prison law advisor after your release, there is no reason why this should not happen.

The Certificate is the accepted prison law qualification - the course that leads to it was written by those who are accepted to be the foremost prison law experts - solicitors Simon Creighton and Hamish Arnott, and prison law barristers Pete Weatherby and Nick Armstrong - Nick actually delivers the DVD lectures. The Institute of Prison Law, founded in 1998, is authorised to deliver prison law training by both the Solicitors Regulation Authority and the Bar Standards Board of England & Wales - if you want a comprehensive course in prison law, this is it, and well over a thousand people from solicitors, to barristers, prison governors, prison officers and of course inmates themselves have successfully completed the qualification.

The course was designed to be studied without any prior knowledge, it was intended so that not only could inmates themselves achieve the qualification but that the 'OK Logo' which you see all over the place these days, demonstrates those who are qualified with the Institute in the subject. Around 40 prisoners currently have the right to display the OK Logo, and we are currently considering a further follow-up course after a suggestion from Roger Gleaves, an inmate in HMP Maidstone who already has the Certificate of Competency in Prison Law with distinction. Comically, there is at least one former prisoner, the tragically pathetic John Hirst (a man who smashed in the head of a 75 year old lady with an axe) who has taken to passing himself off as a prison lawyer claiming to have the Institute's qualification - but be advised he doesn't have any such qualification at all.

In terms of employment: Once you have the Certificate all you would have to do is to seek employment with a Solicitors office. You would of course have to disclose your convictions, but it would be a matter for the solicitor to decide

whether your convictions affected your ability to do the job; it would really all depend on the nature of your offences and the willingness of the solicitor to see beyond them. The Law Society have made clear this is a decision for the individual solicitor and not something they would become involved with.

Where there was violence or sex involved in your offences that may pose a higher risk in terms of an office environment and the duty of care the employer owes to his staff, whereas offences of theft or fraud would pose a lesser risk on the whole as you would not have access to the office accounts. You would also of course have to seek the approval of your Offender Manager during any licence period, as they are able to veto any particular working environment.

What I am saying is that it really all depends on your circumstances and how willing any individual solicitor will be to utilise your skills as a Certificate holder, and your experiences as a former inmate.

My suggestion has always been to those who want to move into this area of law, to get an offer of employment in principle from a solicitor before you do the course; not only does that make things easier for you, but it will also make a funding application for the cost of the course far more likely to succeed from say the Prisoners Education Trust.

Many solicitors these days have prison law fee earners who work from home, on a self employed basis - usually a 70-30 split, where you get 70% of what you bill and the firm gets the other 30%.

In terms of having access to prisons once you have gained employment with a solicitors firm there is little that the prison authorities could do to prevent you having access to see your clients as long as you were acting in a bona fide manner on legitimate legal business. It's not for the Prison Service to look behind the employment decisions of a solicitors firm and nor is it for them to try and regulate the legal profession.

Once you are employed by the firm and are on their lawful business, then you have the right access to your client.

I can tell you that when Mark Leech was released in 1995 he managed to persuade a law firm to employ him and it was a great benefit in turning his life around and carving out a new career for himself; there is no reason why you and others could not do the same.

This is not an easy qualification to achieve, but as many have shown its far from impossible either. No prior law knowledge is required, although an educational level of GCSE in English is highly desirable. I look forward to welcoming you on the course.

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'He was Innocent' say Family of 'Suicide' Inmate



The family of a man found dead in jail two days before he was due to stand trial accused of murdering his teenage daughter insisted he was innocent.

Tony Couchman (above), 47, of Beecham Place, St Leonards, East Sussex, was accused of killing single mother-of-one Victoria Couchman (right), 19, between May 15 and May 18 2008.

He was found unconscious in his cell in HMP Lewes, East Sussex, on and was pronounced dead shortly afterwards, the Prison Service said. Unemployed Couchman was due to stand trial at Lewes Crown Court charged with murder and perverting the course of justice. He denied both charges.

In a statement issued through Sussex Police, Couchman's family said: "Tony Couchman was a loving father and grandfather and is going to be hugely missed.

"Please let us, as a family and as friends who loved him, have time to grieve for our sad loss.

"The family stands by Tony and do not believe that he did this to Vicky."

Couchman had slashed his wrists, according to The Sun, he was originally arrested after children

playing in Redgeland Wood in the Queensway area of St Leonards found a skull in October 2008.

Further human remains were later found around the scene and medical records were used to identify them as those of Ms Couchman, who had lived with her father.

Her death came as a fresh blow to her family and friends following the death of her brother Dean, 17, in a road accident in 2005.

It was suggested at the time of her death that she and her father argued over who was responsible for his death.

Today's family statement went on: "Rest in peace, Tony, now that you are with Dean and Vicky. From your family, we all love you."



Ms Couchman made mention of the tragedy of her brother on her Bebo profile when she responded to a question about her most missed memory by writing "my brother Dean". She urged people on her profile to "live life like it's your last day" and described herself as a lover of

comedy and romance films, clubbing and, of her musical tastes, "nethin wid a beat".

She wrote on the social networking site: "Hiya, im Vicky, im 18 nd av a lil girl. I liv in hastings. I av brown hair but im always diein it. I love to go out clubbin!!! Luv yuhoo."

She described her relationship status as

"complicated" and said she disliked spiders. One message on her profile read: "Hii vicky hun wt u bin up to. Aint sin or spoke to u in ages."

Sussex Police examined whether Couchman posed as his daughter online after it emerged that messages were sent from her Bebo site at a time when police believed she was already dead.

The force also said Ms Couchman had not been reported to them as a missing person.

Neighbours described the young mother as a "dedicated mum who spent hours playing with her daughter".

And one neighbour said Couchman was a "really nice guy" who would help with their garden.

A Prison Service spokesman said: "HMP Lewes prisoner Tony Couchman was found unconscious in his cell at 11.30am on Saturday January 2.

"Paramedics attended the prison, but Mr Couchman was pronounced dead shortly after that time. The cause of death is yet to be determined.

"As with all deaths in custody, the prisons and probation ombudsman will conduct an investigation."

Sussex Police confirmed that they would not be looking for anyone else in connection with Ms Couchman's death unless fresh lines of inquiry emerged.

Detective Chief Inspector Adam Hibbert said: "This is obviously a very tragic conclusion to what was already a desperately sad case.

"Our thoughts and condolences are with the Couchman family at this time following the loss first of Vicky - a mother, daughter and sister - and now Tony Couchman, a father and grandfather.

"As far as Sussex Police are concerned, unless any other viable lines of inquiry emerge, we are not looking for anyone else in connection with this case and will not be pursuing it further."

Chubby on Trial



Comedian Roy "Chubby" Brown from North Yorkshire has denied assaulting a woman during a dispute in a car park.

The "blue" comic, whose real name is Royston Vasey, from East Harsley,

Northallerton, now faces trial in March accused of the common assault of Kelly Oliver.

The entertainer did not appear at Teesside Magistrates' Court but was instead represented by his solicitor Barry Speker.

He told the court: "I have been instructed by Royston Vasey to enter a not guilty plea.

"Mr Vasey entirely denies the assault."

The alleged offence is said to have taken place on September 2 in a Middlesbrough car park

As comedian Roy "Chubby" Brown, Vasey, 64, is known as one of the country's bluest funny men.

His foul-mouthed jokes were too rude for television but his DVDs are a huge hit with millions of fans nationwide.

Magistrates fixed a trial date of March 10.

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'No-one is Released due to Overcrowding'

Furious Tories have demanded a retraction from Commons Leader Harriet Harman after she claimed that nobody was released from jail due to overcrowding.

Ms Harman told MPs: "No-one is released from prison on the basis of a lack of prison places." She later corrected herself.

The End of Custody Licence (ECL) scheme was introduced in June 2007 in order to ease prison overcrowding.

Thousands of inmates serving sentences of between four weeks and four years have since been released up to 18 days before their automatic or conditional release date.

During Commons exchanges on upcoming business, Tory Philip Davies (Shipley) called for an urgent debate on prison places.

He pointed to comments made last month by West Yorkshire Police chief constable Sir Norman Bettison, who told the Yorkshire Post that prolific burglars were spending less time in jail due to overcrowding problems.

Mr Davies said: "It's causing the police in West Yorkshire lots of trouble that otherwise they

wouldn't have and it's creating extra victims of crime that are completely unnecessary due to the incompetence of this Government."

Ms Harman said there had been an increase in the number of offenders brought to justice.

"No-one is released from prison on the basis of a lack of prison places.

"We have increased the number of prison places; we have done that with finance which the (Conservative) party would have opposed.

"So I will not raise your points with the Home Secretary and Justice Secretary because I think they are ill-founded."

Ms Harman later told MPs: "What I meant was that nobody is released without the framework which the Justice Secretary has presented to the House in respect of the overall approach to early release, including the provision of early release which was a well-established pattern which was followed not only by this Government but by previous governments."

To laughter from Tory benches, Deputy Commons Speaker Sir Alan Haslehurst said: "I hope everyone's clear."

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Jamaica's Muslims 'alarmed' at return of Radical Cleric



The head of Jamaica's Muslim community has expressed alarm over the return of a radical cleric jailed in Britain for urging the killing of Americans, Christians, Hindus and Jews.

Sheik Abudllah el-Faisal (above), who was born in Jamaica, was arrested in Kenya on New Year's Eve by anti-terrorism police as he was leaving a mosque in a coastal town.

Officials say he will be deported to Jamaica because of his history of extremist activities.

"I am extremely concerned about his return. We have no idea with whom he has been associating with for more than a year," said Mustafa Muhammad from Kingston, where he is organising an emergency meeting of Jamaican Muslims to discuss el-Faisal.

There is no immediate date for the deportation. El-Faisal is stuck in the East African nation because other nations, including South Africa, Tanzania and Britain, are refusing to allow him to transit through their countries.

Mr Muhammad, who leads Jamaica's Islamic council that has 4,600 members and 10 mosques, said the Caribbean island's Muslims were worried about el-Faisal's apparently secretive travels through Africa.

Kenyan officials say el-Faisal travelled from Nigeria through Angola, Malawi, Swaziland, Mozambique and Tanzania by road before entering Kenya.

They say he was probably trying to avoid detection because he is on an international watch list of terrorism suspects.

Mr Muhammad said that when el-Faisal was deported to Jamaica in 2007 after a prison term in Britain, he told the extremist cleric that his views were unacceptable and under no circumstances would council authorities allow him to preach in mosques under its umbrella. He said El-Faisal showed "no remorse" for his

calls for violent jihad after serving four years for incitement to murder and stirring racial hatred.

"He said he didn't think he had ever done anything wrong," Mr Muhammad said.

He said el-Faisal lived in the northern Jamaica coast city of Montego Bay for a brief time before departing for Africa more than a year ago.

Britain says el-Faisal's teachings heavily influenced

one of the bombers who carried out the July 7 2005 London attacks that killed 52 people.

Internet postings purportedly written by a Nigerian charged with trying to bomb a US airliner on Christmas Day refer to el-Faisal as a cleric he had listened to.

El-Faisal preached at London's Brixton mosque in the 1990s before being thrown out by mosque authorities because of his support for violent jihad.

The mosque was attended at different times by shoe bomber Richard Reid, who is serving a life sentence in a US prison after his failed 2001 attempt to blow up an plane, and convicted September 11 plotter Zacarias Moussaoui.

Mr Muhammad said he would encourage Jamaica's Muslims to "pay close attention to anything that raises alarms" when el-Faisal returned.

"This is a poor country where security is not as rigid as elsewhere.

"We are very concerned of the possibility of people infiltrating our community," he said.

Glenmore Hinds, Jamaica's assistant police chief, said el-Faisal had committed no crime in Jamaica, but the police would ensure that he was very carefully monitored when he returned because of his history of calling for violence and the killing of Amercians, Christians and Jews.

El-Faisal was known to have left Kenya on a flight to Nigeria where he will take a connecting flight to Banjul, Gambia before trying to get transit visas that would allow him to take a connecting flight to Kingston.

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Veterans in Prison account for 3% of the population

The MOD and the Ministry of Justice (MOJ) have completed the most comprehensive study to date of Armed Forces veterans in prison, they announced today.

The study, carried out by the Defence Analytical Services and Advice (DASA) arm of the MOD, compared records on approximately 1.3m Service leavers with a database of all remand and sentenced prisoners in England and Wales aged 18 and over. It found that ex-Service personnel make up just under 3 percent of offenders in prison.

Veterans Minister Kevan Jones said:

"The vast majority of those who leave the Armed Forces make a successful transition to civilian life but we know that a small minority face difficulties. This study gives a full picture of how many veterans are in the prison population for the first time. This will help us to investigate where improvements can be made to help personnel settle back into society once they leave the Armed Forces to minimise their risk of falling



into the criminal justice system. In doing this, we will work closely both within Government and with service charities." The Service leavers' database holds records that date back to 1979 for the Navy, 1972 for the Army and 1968 for the RAF but does not include reservists. DASA estimate that, although not exhaustive, these statistics represent a realistic picture of the number of veterans in prison.

Further work may lead to a slight increase in this estimate by taking into account the gaps in the data although the proportion of ex-Service offenders is not expected to exceed 4 percent. The next stage in this project will be to evaluate the ex-Service prison

population in terms of age, gender, Service branch, length of service, rank, deployment history, time since discharge, and offence type. This qualitative analysis will ensure that resources and support can be better targeted at those who need them.

Prisons Minister Maria Eagle said:

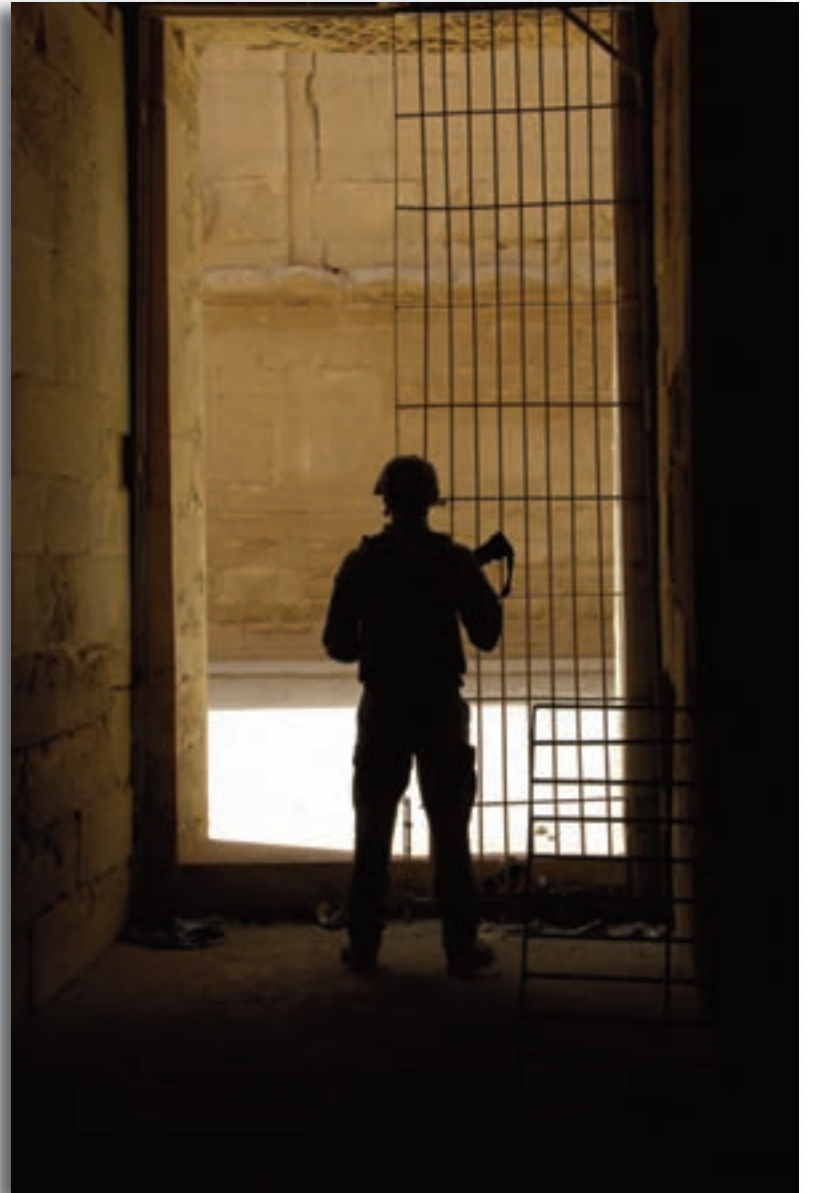
"We take our duty of care for all offenders very seriously, irrespective of background. We are committed to identifying and addressing the underlying reasons for offending amongst veterans serving prison sentences. By providing them with support and information which will aid their resettlement in the community, we also reduce the risk that they will re-offend.

This research will inform policy development between our two departments and will enable us to better support veterans who end up behind bars."

Earlier estimates on the number of Veterans in Prison had put the total as high as 8,000. The probation officers' union Napo said that the data released by the Government "seriously underestimated" the problem.

Assistant general secretary Harry Fletcher (above) said: "By seriously underestimating the size of the problem it is extremely difficult to give proper attention to solutions.

"The methodology must be published in full without delay so that it can be independently investigated because the service details of many prisoners are not on the relevant database."



Veterans In Prison Association

President: General, The Lord Ramsbotham GCB. CBE.

Patron: Simon Weston OBE.

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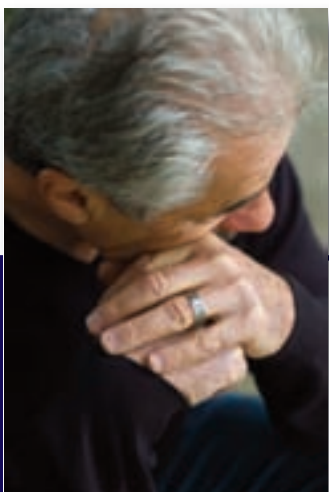
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Deaths in Custody 2009

'Show a continuing fall since 2004'

The Ministry of Justice has announced that there were 60 apparently self-inflicted deaths among prisoners in England and Wales in 2009. Claire Ward, Parliamentary Under Secretary of State, Ministry of Justice said:

'Each and every death in custody is a personal tragedy for all those involved. The Government is fully committed to reducing deaths in custody. The continued reduction in the rate of self-inflicted deaths in our prisons is welcome news. I would like to acknowledge the efforts of all those who work in our prisons who care for the most vulnerable prisoners.'

On any one day, prisons keep safe over 1,500 people assessed as being at particular risk of suicide or self-harm. These and many more prisoners are helped and cared for by prison staff, third sector partners and other prisoners – trusted 'Listeners' trained by the Samaritans to provide confidential emotional support to others.

Phil Wheatley, Director General of the National Offender Management Service (NOMS) said:

'It is vital that we learn from all deaths so that we can prevent future ones. I am pleased that we have held down the number of self-inflicted deaths given the increased population pressures we have faced this year. I also welcome the fact that there are now fewer deaths in the early days of custody. This is due to better drug detoxification programmes, mental health services and the sheer hard work of prison staff in caring for those most at risk of suicide. Continuing to reduce the number of self-inflicted deaths in prison custody is important core business for the National Offender Management Service in 2010.'

Stephen Shaw CBE, the Prisons and Probation Ombudsman, commented:

'Each death in custody is a tragedy and my office carries out independent investigations to find out what happened. Despite the pressures on the prison system, it is very welcome that the rate of self-inflicted deaths continues its downward trend. I know that the Prison Service takes the safety of prisoners very seriously. I am confident that it will continue to act on my recommendations in a joint endeavour to reduce the rate of avoidable deaths even further.'

The Ministry of Justice said that the numbers of self-inflicted deaths in prison custody can vary considerably. Rises and falls from one year to the next are not good indicators of underlying trends. The

most reliable guide to trends is the three-year average annual rate. This currently stands at 86 deaths per 100,000 prisoners and has decreased year-on-year since 2004 when it was 130 deaths per 100,000 prisoners.

Table 1: Self-inflicted deaths in prison custody (England and Wales) by gender

Gender	Male	Female	Total	Population	Rate/100k
1996	62	3	65	55256	118
1997	65	3	68	61467	111
1998	80	3	83	65727	126
1999	86	5	91	64529	141
2000	73	8	81	65194	124
2001	67	6	73	66403	110
2002	86	9	95	71218	133
2003	81	14	95	73657	128
2004	82	13	95	74488	128
2005	74	4	78	76190	102
2006	64	3	67	77962	86
2007	84	8	92	80689	114
2008	59	1	60	83240	73
2009	57	3	60	83611	72

Table 2: Self-inflicted deaths in prison custody (England and Wales) by age band

Age band	Under 18s	18-20	21+	Total
1996	1	11	53	65
1997	1	8	59	68
1998	3	11	69	83
1999	2	13	76	91
2000	3	13	65	81
2001	3	10	60	73
2002	2	12	81	95
2003	0	12	83	94
2004	0	6	89	95
2005	2	10	66	78
2006	0	2	65	67
2007	1	6	85	92
2008	0	5	55	60
2009	0	5	55	60

Prisoner 'self-inflicted deaths' include all deaths where it appears that a prisoner has acted specifically to take their own life.

Approximately 80% of these deaths receive a suicide or open verdict at inquest.

Revised Prison Service Order 2700 (Suicide Prevention and Self-Harm Management) was published in October 2007 and implementation was completed in April 2008.

Building on several years of learning from the experience of prisoners, staff, investigators, inspectors and others, it incorporates developments such as the introduction of the Assessment, Care in Custody and Teamwork (ACCT) procedures, improved cross-agency information flows, and integrated local Safer Custody Teams pursuing a continuous improvement plan in each prison.

Also reflected are long-standing areas of safer custody work such as peer supporters (Listeners and Insiders) and working with outside organisations such as The Samaritans and Childline.

ACCT is the care-planning system for prisoners at-risk of suicide or self-harm, introduced across the prison estate in partnership with the Department of Health during 2005-07.

ACCT aims to improve the quality of care by introducing individual/flexible care-planning, supported by improved staff training in case management and in assessing and understanding at-risk prisoners.

At any one time approximately 1,500 prisoners are subject to enhanced care planning in line with the ACCT procedures.

The new Ministerial Council on Deaths in Custody started its work in April 2009. It comprises three tiers.

The Ministerial Board is jointly chaired by Claire Ward, Under Secretary of State for Justice, David Hanson, Minister of State for the Home Office, and Phil Hope, Under Secretary of State for Health.

The Ministerial Council is advised by the Independent Advisory Panel which is chaired by Lord Toby Harris.

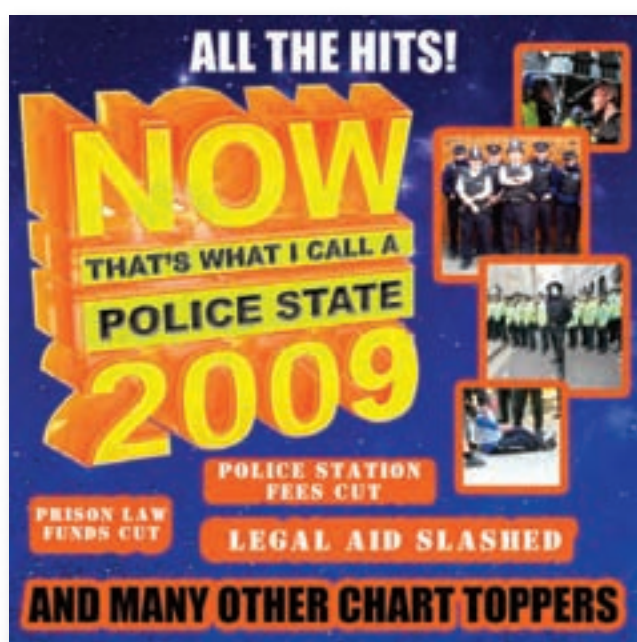
The final tier comprises ad hoc working groups commissioned by the Independent Advisory Panel and made up of experts and practitioners.

Learning from deaths in custody is a key part of the prisoner suicide prevention strategy.

Since 1 April 2004, all deaths in prison custody have been investigated by the Prisons and Probation Ombudsman, Stephen Shaw.

The Ombudsman's investigators and family liaison officers carry out independent investigations which also address any issues raised by the bereaved family.

Criminal Legal Aid Reform: 'Will Save £23m'



The Ministry of Justice has published a set of reforms that aim to rebalance the legal aid budget to ensure that the £2.1 billion currently spent every year goes as far as possible in favour of civil help for those who need it most.

committal hearings in the Crown Court. The change will see all working on Committals combined into one fixed fee which will be paid out of the Litigator Graduate Fee Scheme. Ending the anomaly by which practitioners in

The reforms are outlined within the government's response to the consultation on legal aid funding reform proposals which are designed to help sustain the legal aid budget over the next spending review period, and ensure that we focus criminal legal aid spending effectively.

The reforms intend to make better use of the criminal legal aid budget and include changes that rationalise payment structures.

The reforms that have been announced will include:

Containing the cost of legal aid representation at police stations by reducing police station fees in the most expensive and oversubscribed areas.

Ending the current fee arrangements that remunerate lawyers for preparation for

criminal cases receive a fee for file reviews which does not apply in civil cases. This would see an end to payments for criminal file reviews.

It is estimated that approximately £23 million in savings will be made through the reforms to police station fees, changes to committal fees and the removal of the file review payments over the course of 2010/11.

In addition to these reforms, the Ministry of Justice will pursue a second round consultation to explore reforms to Crown Court advocates fees.

On average, advocates acting for the prosecution receive 18% less pay than if they were acting for the defence, which could be creating an incentive for barristers to favour defence work over prosecution work.

A separate response to the proposals on experts' fees will be published this month.

Legal Aid Minister, Willy Bach said: 'At a time when we are faced with tougher economic conditions we do have to make some hard decisions which aren't going to be popular with everyone.

However it's important that we remember that central to these changes is a commitment to do all we can to ensure that legal aid is prioritised effectively so that more people are able to access it to resolve their legal problems, particularly in the current climate when more people are struggling

with debt, housing and employment problems.'

'The UK has one of the most generous legal aid systems in the world and one that the government is proud of. It is even more important now that public money is managed efficiently and effectively and we are committed to ensuring the legal aid budget delivers best value for taxpayers money.'

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Indefinite Hospital Order for Son Plotting Parental Murder

A man has been sentenced to an indefinite hospital order after plotting to kill his adoptive parents with a friend he met on the internet.

Christopher Monks (below left), 25, persuaded Shaun Skarnes (below right), 20, to stab the couple while they were asleep at their home in Chorley, Lancashire. The plan failed when Monks's father, also Christopher, woke to find Skarnes in his bedroom with a large kitchen knife and the couple managed to disarm him.

Skarnes, of Ellesmere Port, Merseyside, will serve an IPP and cannot be considered for parole for at least three and a half years. Mr Monks and his wife Elizabeth fully supported their son, who was adopted at the age of 10 months, at his trial last July and remain adamant he did not intend to kill them. They argued the sufferer of Asperger's Syndrome, a form of autism, was unable to separate fantasy from reality. In a series of online exchanges, Monks told Skarnes he wanted his parents dead because he said they were over-protective and treated him like a child.

Both men argued they were acting as part of role play but a jury at Preston Crown Court disagreed and found them guilty of conspiracy to murder after barely one hour of deliberation. Sentencing the pair at Preston Crown Court, Mr Justice McCombe said it was a "most unusual case".

Referring to Mr and Monks, he said: "No court could fail to be moved by the unstinting love they have for their son, notwithstanding the enormity of the offence he committed.

"In their own words in a letter sent to me they say 'Whatever sentence is passed, we will serve it with him'."

But he added that he did not have the "slightest hesitation" in believing both men continued to present a "significant" risk of harm to the public.

"I recognise that Mr and Mrs Monks find this difficult to accept but the court has a duty to protect the public and ensure that they are not released into the community until that risk is eliminated," he said.

He agreed with psychiatric reports which said Monks would not flourish in the prison system and could only be properly rehabilitated in a secure hospital environment with specialist care to treat his condition.

Mr Justice McCombe concluded: "I wish to express my sadness to those relatives whose sons have had to be in court today. I wish them all well."

Both exchanged online and mobile phone messages about the meticulously prepared plan, even to the extent of discussing which side the parents slept on.

Skarnes, of Sutton Way, pretended to catch a train home after visiting the Monks's four-bedroom property in Preston Road, Clayton-le-Woods, last February but his co-defendant later let him back in

late at night and handed his accomplice the knife. Monks, a bisexual, ran away from home three years ago when his parents found out he was seeing an older man, who he also met online. They confiscated his mobile phone and restricted his internet usage.

He messaged Skarnes that he considered his family "a disgrace", he was "trapped in a cage" and complained "the only time I get to myself is when they are asleep, so eternal rest is the best solution". Skarnes took him up on the offer to kill the couple, in return for sexual favours.

The agreement was to first kill Mr Monks upstairs as they were worried they would awaken the family dog which often slept in the downstairs lounge with Mrs Monks.

Prosecutor Dennis Watson QC, in opening the case, said, in a bizarre climactic act, Monks would

When the couple returned from a shopping trip, the young men were playing computer games. They were unaware their son had used the time to show Skarnes thoroughly around the house in preparation for their deadly scheme.

Skarnes left the address in the early evening and pretended to leave for home but actually waited in a park in the bitter, winter cold.

Monks and his parents sat down together with a takeaway curry to watch a DVD, as he counted down the hours before they retired to bed and then texted Skarnes to return to the rear patio doors.

Skarnes told the jury they were merely trying to "outdo each other" in their interchanges and said parts of what they discussed were "twaddle".

When interviewed he claimed he accidentally dropped the knife after entering the bedroom and was seen picking it up when Mr Monks turned the

Giving evidence, consultant psychiatrist Rakib Abdur explained Monks was "physically frail" and "probably incapable of inflicting direct violence on people".

But he remained prone to obsessive thoughts and fantasy, he added.

"If Mr Monks is rehabilitated and treated at a specialist unit, then they can help to modify his interests and help him with social skills.

"Prisons do not have the necessary skills to deal with people with Asperger's Syndrome."

Dr Abdur said Monks would find it difficult to cope with bullying by inmates and had already been exploited by prisoners because of his sexuality.

Mr Bromley-Davenport recommended a hospital order was the appropriate course of action for his client. Andrew O'Byrne QC, in mitigation for Skarnes, said that although his client did not want to hear it, he was a "fairly pathetic and inadequate individual".

"At the time of the offence he was separated from his father, had lost contact with his mother, was living in a flat on his own and had no job," he said.

"He was effectively using his time making contact with others via his computer. So it was he eventually came into contact with Christopher Monks."

Mr O'Byrne revealed that Skarnes wrote a letter of apology to Mr and Mrs Monks just before the trial and asked them not to open it until after the verdicts. Skarnes told them he hoped they would recover from the experience, he said.

He added the Monks believed his remorse was genuine and thanked him for sending the letter.

"When he set out on the journey on that train back in February he could never have contemplated that his whole life was to turn upside down," Mr O'Byrne said. "He is very, very sorry."

Mr Justice McCombe said he had received a form of victim impact statement from Mr and Mrs Monks, and a longer, personal letter which introduced an extensive list of references from former teachers, work colleagues, family and friends.

All the testimonials expressed "incredulity" that Monks could commit such a crime, the judge said. He said both defendants had very contrasting childhoods.

Monks was from a close family and was the youngest of four children after being fostered and then adopted at an early age.

His autism was not officially recognised until after the murder plot and in his youth he was passed off as physically fragile and a late developer.

Skarnes came from a broken family after his mother left home when he was aged four, while his father led a chaotic lifestyle.

No mental illness was diagnosed in his case but it was conceded he had clear psychological problems.



then allow Skarnes to bite his penis off which the former had seriously researched on the internet.

Unemployed Skarnes was living alone in a flat when he met Monks through the Furry 4 Life website, which involves users taking on animal personas. Skarnes chose a half-fox, half-wolf character, called Kyra, and Monks was a fox named Rox-Yin.

Their conversations revolved around a shared interest in bestiality, cannibalism, necrophilia and sexual mutilation.

Monks was fixated with dominant and submissive aspects of their animal characters.

He told the jury he played the part of "Master" and his quest was to find the "perfect pet".

The day before the murder attempt, Skarnes asked Monks: "Are you sure you want them dead?" "Very, my pet," replied Monks. Later, Monks asked: "You getting cold paws?" "No", said Skarnes.

light on.

He tried to keep the knife away from Mr Monks in the struggle that ensued and denied he lunged at him. Mr Monks suffered minor injuries in the scuffle before Skarnes was arrested at the scene.

Giving evidence in Monks's defence, Professor Digby Tantam, a consultant psychiatrist and autism expert, said the defendant's autism spectrum disorder could impair his understanding on the outcome of actions and the feelings of others.

John Bromley-Davenport QC, representing Monks, said:

"It is clear to a large extent he is a victim of his condition, rather than someone to be regarded as an evil criminal who hatched an appalling plot to murder his parents. It is also clear that the last thing they (the parents) want for him is severe and prolonged punishment."

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£310,000? Who? Me? Sorry, I Just Can't Remember!



An accountant has been jailed for 26 months after he stole £310,000 of taxpayers' money and splashed out on home improvements and a new car - later telling police he could not remember where he'd stashed the rest of the cash!

Some £220,000 of the cash taken from a Government-backed company had still not been traced though as Steven Calderbank claimed he had since been struck with amnesia, Burnley Crown Court heard.

Calderbank, 46, of Hallam Road, Nelson, Lancashire, told police he could not even recall being employed by Manchester-based Skills Solutions when he was arrested after the three-year fraud came to light - the company was visited recently by David Cameron.

However, doctors found no evidence his "illness"

was genuine as Judge Beverley Lunt ruled he was driven purely by greed.

The father-of-three had complete access to the accounts of the not-for-profit organisation which distributes funding for school and college apprenticeships, with an annual turnover of £10 million.

Between September 2004 and January 2008 he systematically paid shadow invoices into his own bank account and his deeds were not uncovered until an internal audit.

Calderbank pleaded guilty to 20 specimen counts of theft at an earlier hearing and asked for 18 similar offences to be taken into consideration.

Hugh McKee, prosecuting, said: "He told his wife he was under pressure because of the audit and she then gave him an ultimatum to explain how he had got the money to pay for a £60,000 extension to the house."

Sums of £15,000 each were also spent on a new conservatory and car, the prosecutor added.

He then left a note to his wife stating he had left home and gone to London. She reported him to the police as missing and he finally returned six days

later when he was arrested. His wife, who had been seriously ill since 2000 and died last January, was also detained as part of the inquiry before she was released without charge.

When interviewed, Calderbank said he had lost his memory and could not recollect working at Skills Solutions or stealing the money, but he did remember his teenage children growing up.

Mr McKee said: "The defendant's offences have had a detrimental affect on his colleagues. They feel let down and feel it reflects badly upon them."

A thorough financial probe was undertaken to determine where the money was spent but it only revealed the three sizeable purchases.

"It is something of a mystery still as to where much of the money has gone," added Mr McKee.

Mark Stuart, defending, said: "His only explanation is that he must have spent it on the house, the kids, the wife and their general living."

His teacher wife was forced to leave her job because of her illness and the investment into the house by Calderbank may have been a form of "nestbuilding" ahead of when she died, he said.

The offences were not sophisticated, Mr Stuart added.

"As soon as there was an investigation it was bound to fall upon him," he said.

Calderbank had suffered from multiple sclerosis for some time, was diagnosed as a mild depressive and was the sole carer of his children, who were in court along with his own parents.

Mr Stuart said: "He cannot have done things more wrong from their point of view but all are completely supportive of him."

He pleaded for either a suspended jail term or a short spell in prison as he outlined that the children had lost their mother, were about to lose their father to prison and faced the sale of the family home as part of a proceeds of crime hearing.

Judge Lunt said she was sorry for the children but the extent of the theft could only lead to a custodial sentence.

"There was no evidence of any financial obligations or debts that may have driven you to commit these offences. The only thing that has driven you is greed," she said.

"This was not a sophisticated fraud but on the other hand you have also managed to make money disappear without trace."



Con Escaped TWICE in One Day!



A convicted killer escaped from the same custody cell twice on the same day minutes after being jailed for five years, a court has heard.

James Stevenson, 30, was jailed for an additional two years after the court heard how he used a shoelace to trigger the lock on his cell door - twice. Fearful he had made too much noise forcing a door to a nearby outside courtyard, Stevenson returned to his cell, Swansea Crown Court heard today.

He then called Reliant security staff and demanded to see his solicitor as a way of showing he was still safely locked inside.

Once security staff had gone he left it again using the same method and finished smashing down a wooden door to the courtyard.

Janet Gedrych, prosecuting, outlined the audacious escape in detail as Stevenson listened from prison via video-link today.

The escape happened on October 2 at Swansea's Guildhall building which, as the city's original courthouse, is still used when the newer main building is busy.

Stevenson had appeared for sentence on a number of firearms charges and was jailed for five years.

He made good his escape minutes later by climbing 28ft over razor wire protecting the inner

courtyard and gaining access to a flat roof.

To escape a secure cell in the first place he had inserted his shoelace between the door and the "door-jam" and used it to pull back a spring-loaded latch.

The cell door had a handle only on the outside and would click shut when closed, confining a defendant inside.

Ms Gedrych said that Stevenson later described to police how "he twisted the shoelace until it was on the latch and, because it was spring-loaded, he could pull it."

She added: "It is also possible to double lock the door with a key but it had become common practice not to do so."

She said that Stevenson had admitted noticing a wooden door giving out on to the courtyard when he had earlier been taken to the toilet.

He was able to unscrew bolts and smash off another using a fire extinguisher.

"At that point he feared that staff would hear him and he returned to his cell," she said.

Once on the roof Stevenson eventually made good his escape despite the fact a builder raised the alarm before he was at ground level.

He was later seen at a nearby pub and is known to have made a telephone call from an adjacent guesthouse.

His escape triggered a major manhunt which, at its height, included a 40-man police team.

The overtime bill alone for the police had amounted to £25,000, Ms Gedrych told the court.

Stevenson was at large for 16 days and attempted unsuccessfully to rob a city jewellery store while he was on the run.

Fearful he would be caught and possibly shot by an armed police response team he eventually gave himself up. At a previous hearing he had admitted escaping from custody and attempted theft of gold

rings and assault. Stevenson was jailed for five years in 2002 for choking his mother's boyfriend to death.

At the time he was due to stand trial for murder when he admitted the manslaughter of epileptic Paul Mainwaring, 51.

A friend had helped him force balls of rolled newspaper into his victim's mouth, gagging him afterwards using adhesive tape.

When his victim suffocated, Stevenson and the friend bundled the body into a car and dumped it in the River Tawe at Swansea.

Stevenson had claimed he was trying to evict Mr Mainwaring from his mother Peggy's flat in Gorseinon, near Swansea.

The court heard today that Stevenson, of Bonymaen, Swansea, had 29 previous convictions relating to 59 offences.

His first conviction was for a driving offence at the age of 18.

He had also successfully escaped from prison, for a short period, in August 2005 while serving the five-year term.

Steven Rees, defending, said Stevenson had been shocked by being handed a five-year sentence for the firearm offences.

His escape had been "opportunistic", motivated by the shock of the sentence and by the fact his brother was in hospital with a kidney infection. Judge John Diehl, passing sentence, told Stevenson:

"What you have to bear in mind is the

obvious public concern that results from this, particularly in relation to a man of your record.

"I cannot ignore the fact that this was not the first time that you escaped from lawful custody.

"You represent a perceived public danger."

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'Evil Pair' who Conned Pensioners out of Life Savings Jailed



Two men, described by their OAP victims as an 'evil pair' after operating a £1 million boiler room scam targeting pensioners across the UK have been sent to jail.

Martyn Jagger, 27, and 24-year-old Daniel Healy phoned their victims and pressured them into buying shares that were overpriced or worthless.

In one case they took £200,000 from a Second World War veteran over more than a year.

The pair, who worked in Spain as part of a team of young men using cold-call tactics to persuade people to part with their cash, were seen "warming up" for a day's work by dancing to The Final Countdown in a video seized by police.

They were found guilty of conspiracy to commit fraud after a trial at Kingston Crown Court.

Surrey police said Jagger, from Aylesford, Kent, was jailed for three-and-a-half years and Healy, of Enfield, north London, for 18 months at Woolwich Crown Court today.

Police are now launching proceedings to seize Jagger and Healy's assets under the Proceeds of Crime Act.

Officers were informed of the scam after 83-year-old David Mitchell, from Surrey, complained.

Mr Mitchell, a former Spitfire pilot, was called in

January 2007 by a man claiming to work for a firm called Waterman and Co and persuaded to buy a small number of shares in an American company.

Over the next 15 months, he was pressured into parting with nearly £200,000 - his life savings.

He said at the time of Jagger and Healy's conviction: "They are an evil pair, I am 83, as is my wife, and we have lost the cushion which we may have required for old age. I feel that I have been taken advantage of because of being ill last year and my age and not having the energy to argue."

A City of London Police operation found at least eight more victims from Surrey, Wales, Scotland, Durham, Derbyshire and London. Between them they lost around £1.1 million, with many losing their life savings.

Officers arrested Jagger, who was usually based in Madrid, after he came to London to recruit new salesmen.

They taped some of the interviews in which he boasted of earning £125,000 in six months before arresting him. Healy was arrested at home later.

A laptop seized from Jagger included a video clip of the pair, along with three colleagues, dancing to The Final Countdown by 80s band Europe as they prepared for a day's work in Madrid.

The clip, entitled "pitch day warm ups", shows a whiteboard in the background with details of the companies they purported to work for.

Pictures of Jagger and Healy enjoying nights out in Madrid and on holidays, including a skiing trip to Switzerland, were also found on the computer.

Their convictions followed an 18-month investigation led by DC Graham Parker of Surrey Police.

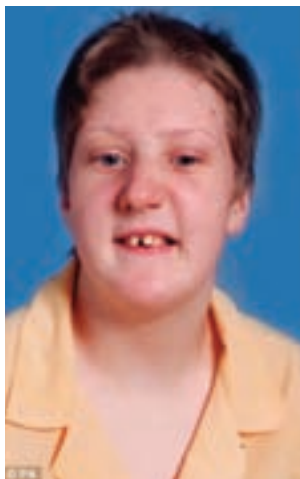
Detective Sergeant Simon Lambert of the force's economic crime department, said: "Jagger and Healy were among a group who targeted victims who were often old and vulnerable with the intention of persuading them to part with their cash knowing full well they would never see any return.

"Many of these people lost their entire savings and it has had a devastating effect on their lives. All the while those in the boiler room were living the high life in Spain as a result of this selfish enterprise.

"Surrey Police will not tolerate this sort of crime and thanks to the hard work and tenacity of DC Parker, and officers from other forces, Jagger and Healy have been brought to justice and are now behind bars."

Jagger and Healy were found not guilty of other offences under the Financial Services and Management Act.

Cops Quizzed Over Mother & Child's Death



Three police officers are being investigated as part of a probe into the deaths of a mother and daughter who were hounded by a gang of jobs for more than a decade, the police watchdog have confirmed.

The Independent Police Complaints Commission confirmed three officers from Leicestershire Constabulary had been told they were being investigated.

Fiona Pilkington, 38, set light to her family's Austin Maestro in a lay-by near their home in Barwell, Leics, on October 23 2007, while she and her disabled daughter Francecca Hardwick, 18, sat inside.

An inquest into their deaths in September last year heard the family, including Ms Pilkington's severely dyslexic son Anthony, suffered more than 10 years of abuse from a gang of teenagers in their street.

A jury criticised Leicestershire Police and two councils for failing to help the struggling family, and found the police's failure to respond to the family's pleas for help contributed to their deaths.

The inquest heard 33 calls were made to police about Ms Pilkington suffering anti social behaviour in 10 years.

Her family's ordeal included stones, eggs and flour being thrown at their home,

while on one occasion the 16-strong mob shouted at Francecca, who had the mental age of a four-year-old, to lift up her night-dress.

After the inquest Leicestershire Constabulary's Temporary Chief Constable Chris Eyre offered his "unreserved apologies" to Ms Pilkington's family for the way that his force had dealt with the matter, saying a full investigation would be carried out and that lessons would be learnt - Home Secretary Alan Johnson said it was disgrace. An IPCC spokesman said:

"I can confirm that as part of our ongoing independent investigation, three officers serving with Leicestershire Constabulary have been notified, as is practice, that they are under investigation."

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HMP Leicester Goes on Video!



A film created by De Montfort University (DMU) students to help new prisoners settle in when they arrive at HMP Leicester has been recognised as a pioneering project.

The film, created by four final year Photography and Video students, has already been seen by hundreds of new prisoners and was commended in the Partnership of the Year category of the annual Leicestershire and Rutland Criminal Justice Awards.

Volunteers on HMP Leicester's Independent Monitoring Board (IMB)

commissioned the video to try to raise prisoners' awareness of the IMB and explain how they can help them during their sentence.

The video is used as part of the prisoners' induction when they first arrive. It shows talking heads including prisoners, staff and IMB volunteers explaining how the IMB can help them to raise concerns about their experiences in prison and to ensure that prisoners and staff are cared for with decency and respect.

Governor of HMP Leicester, Alison Clarke said: "This was an excellent joint initiative between our IMB and students from DMU which produced a high quality, professional and relevant DVD that can be shown to prisoners, new staff and visitors at HMP Leicester to give them a useful insight into the work of the IMB here.

"I am really pleased with the outcome and I felt this was a unique partnership that deserved the recognition of the Criminal Justice Awards."

Special Branch Cop: 'Career in Ruins'



The career of a former Special Branch detective is in ruins after he was found guilty of threatening an Asian taxi driver. Detective Inspector Gary Tomlinson, 47, was also accused by Mohammed Anwar of calling him a "a lying Paki bastard". But the police officer was cleared of racially abusing the taxi driver in a row over a fare.

District Judge Morris Cooper at Chesterfield Magistrates' Court handed him a conditional discharge and ordered him to pay £250 prosecution costs.

Tomlinson, of Derbyshire Constabulary, was celebrating an imminent promotion to Detective Chief Inspector.

He now faces the conclusion of an internal disciplinary inquiry by the police force and a force spokesman said his job was under review.

Deputy chief constable Alan Goodwin said: "Derbyshire Constabulary will not tolerate criminal conduct of any kind by any of its employees.

"I am disappointed that a senior police officer of this force saw fit to conduct himself in such an unacceptable way that resulted in this guilty verdict."

The judge told Tomlinson: "How sad it is that a man who has had such an impeccable police career should find himself in the position that you do after what had been a happy celebration and at a stage in your life where everything seemed to be rosy.

"It would be wrong to disregard the

devastating impact that this has had on your personal life and your professional career."

But there were a "number of inconsistencies" in Mr Anwar's evidence, he said.

"In the spectrum of criminal offences both these charges are towards the lower end, but in this context they are extremely serious matters from a professional point of view," he said.

"It is important in a case of this nature for any court to remind itself that the rule of law must stand and that a defendant, whatever his role or job in society, can be treated equally."

The court heard that Tomlinson had drunk several pints of bitter, half a glass of champagne and a couple of lagers during a night out with colleagues when he allegedly insulted Anwar, who accused him of failing to pay the last 90p of his fare.

Mr Anwar recorded 90 seconds of the alleged tirade on his mobile phone, but the recording did not include any racial abuse.

Mr Anwar told the court: "From there he used a racial word and was using bad language. He said 'I am a police officer and I am going to do you'.

"He said 'You are a lying bastard, you're a lying Paki bastard, you are'."

Tomlinson, a married father-of-five, from Hartshorne, Derbyshire, was found not guilty of racially aggravated harassment but was convicted of an alternative charge of using threatening words or behaviour likely to cause harassment, alarm or distress.

The incident happened in Hartshorne in the early hours of July 31 last year.

Asked in court how he felt about the incident, Tomlinson said: "I felt helpless. Everything I had said and the way I tried to reason with Mr Anwar had failed.

"I'm embarrassed about what has happened. I let myself down, I've let my family down and I've let my organisation down, but I honestly believe, because of the money that I had drawn out, that my money was stolen from me.

"I let myself down over the way I spoke to Mr Anwar. I was under a lot of pressure.

"There had been a family bereavement. I didn't realise the stress I was under until that night."

A police officer for 21 years, the former head of Special Branch in Derbyshire told the court his promotion had been cancelled, he had been suspended and his job was on the line.

Jonathan Taaffe, who represents Tomlinson, said his client did not wish to comment after the hearing. He said: "This case should never have been brought before the courts.

"Given the findings of the judge this matter should have been dealt with without the need for the court process."



HMP Staff Receive HMQ Awards



MBEs (right) have been given to:

Alan Blocksidge, Prison Officer, HMP Manchester, for his work with young people within the community.

Ewan Easton, volunteer, HMYOI Thorn Cross, for providing introducing a musical and educational enrichment project Thorn Cross.

Staff from across the National Offender Management Service (NOMS) have received awards in the Queen's New Year Honours List 2010.

A CBE (left) has been appointed to:

Ann Beasley, NOMS Director of Finance & Performance. Ann has championed and led a major programme of IT enabled business change which has delivered one of a very few effective shared service centres in Government.

The OBE (middle) has been appointed to:

Diana Fulbrook, Chief Officer, Wiltshire Probation Area. As Chief Officer for Wiltshire Probation Area since 2001 Diana has transformed the organisation to one that is delivering the best probation services.

Susan Hall, Chief Officer, West Yorkshire Probation Area, for services to Probation and public safety turning West Yorkshire Probation Area into an efficient, effective and trusted service.

Alexander Tait, lately Governor, HMYOI Castington. In the latter part of a long and distinguished career with the Prison Service, Alex Tait has been an outstanding Governor.

David Thompson, Governor, HMP Frankland, for 29 years of service to the Criminal Justice Service and the local community.

Susan Ellis, lately Principal Officer, NOMS South East. During 32 years with HM Prison Service, Sue has made significant contributions to the care and welfare of prisoners.

Margaret Fairbrother, Senior Probation Officer, Sussex Probation Area, for services to the community of Crawley in cutting crime.

Robert Gibson, Prison Officer, HMP Gartree, for services to long term prisoners and charity work with the children of Chernobyl.

Sylvia Herbert, Chaplain, HMP Leicester, for services to Chaplaincy and the wider criminal justice system.

Marjorie Kirk, volunteer, HMP Nottingham, for services as Samaritans Prison Co-ordinator for HMP Nottingham.

Ivy Sturgeon, Personal Secretary, HMP Littlehey, for all round commitment to HMP Littlehey and those that work and live within it.

Janice Walker, Prison Officer, HMP Wormwood Scrubs, for services to HM Prison Service, and to children and families in the community.

Director General Phil Wheatley said: "To be recognised in the Queen's New Year Honours List is a fantastic achievement for anyone. I am proud that, once again, so many members of our staff have been rewarded."

No Brainer?

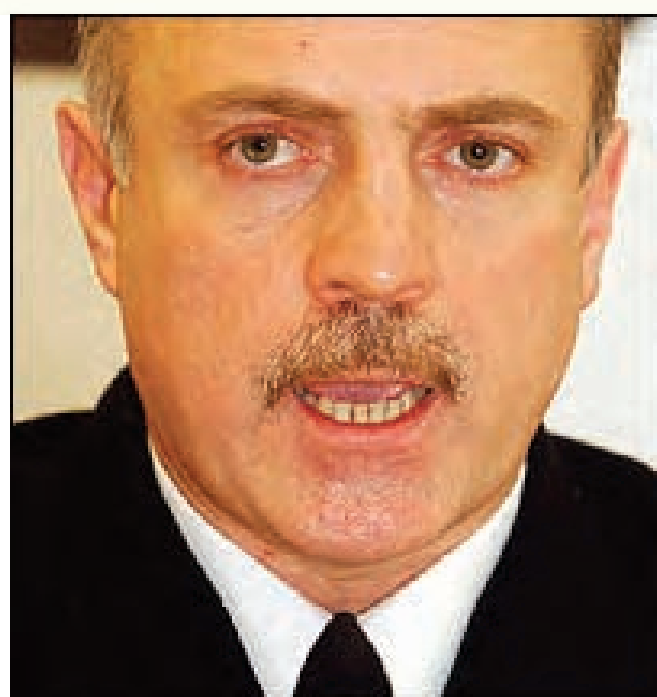


A family is suing a funeral home claiming their grandmother's brain was sent home in a bag of personal effects given to them after her death.

They said they found the brain the day after the funeral when a foul odour came from a bag they received from DeVargas Funeral Home and Crematory of the Espanola Valley in Albuquerque, New Mexico.

Funeral home owner Johnny DeVargas said the fault does not lie with his business, and that another company in Utah - where the woman died in a car crash - was responsible for the package..

Victims of Crime Trust: 'Finished'



The charity known as the Victims of Crime Trust, founded by former cop Norman Brennan, has been told to get its affairs into order by the Charity Commission or have its registration as a charity revoked.

The charity, which had an income of £81,000 in

of Rhys Jones. One source close to Brennan said: "He knows the charity is finished, he's been warned and warned about getting the finances of the charity into order but has never taken notice which is why it seems that unless he takes action immediately its registration will be revoked."

2004 - but spent £115,000 in the same year - has not filed any accounts with the Charity Commission since 2005, but Brennan still parades himself as its Director, voicing views some people have labelled from the 'deranged' to the 'dangerously simplistic'. Since it started in 1994 the charity has only ever had one member - Norman Brennan himself. Yet in an effort to get media coverage for his views - which seem to be shared by few others - Brennan has given over 700 media interviews in the last four years, always latching on to the cases with the highest profiles from the killing of Jamie Bulger, to the murder

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Duck Houses, Moat Cleaning, Blue Movies, Plasma TV's, Flipping Second Homes, Employing Family..... Have Your Say!

The head of the new parliamentary expenses watchdog has denied "watering down" proposals for reform of the current MP Expenses system.

Sir Ian Kennedy, the chairman of the Independent Parliamentary Standards Authority (Ipsa) said he wanted to make a "clear and clean break with the past". However, a consultation document just published by Ipsa included significant differences from the blueprint for reform drawn up by the chairman of the Committee of Standards in Public Life, Sir Christopher Kelly.

The Ipsa recommendations open up the possibility that MPs living just outside London would still be able to claim expenses for their second homes. MPs would have the chance to vote on whether the taxpayer should be able to recover any profits they make on the sale of homes they bought with taxpayer-funded mortgages.

The consultation document also reopens the issue of whether MPs should be able to employ members of their own families - a practice which the Kelly report said should be banned.

Ipsa's paper does back some of original recommendations, including a ban on MPs claiming mortgage interest payments on second homes. In future they would have to rent or stay in hotels.

It also goes further on the issue of MPs' resettlement allowances when they leave Parliament, which the Kelly report recommended should be cut back, suggesting that they could be scrapped altogether. On the contentious issue of profits made on the sale of taxpayer-funded second homes, the paper said that it was for "Parliament to decide" whether to take action to enable them to be recovered for the taxpayer - meaning MPs will make the decision on whether they can pocket the profits.

Ipsa said it was committed to the principle that "no one should use public money for private gain".

The Kelly report also recommended that MPs with constituencies "within a reasonable commuting distance of Parliament" should not be able to claim for second homes. Currently only those in inner London are barred.

The Ipsa paper said MPs should still be eligible if they have a seat outside London Transport zones 1 to 6, which would enable those in the Home Counties and on the outskirts of the capital to carry on claiming.

Although Ipsa broadly backs the Kelly report's recommendation that MPs should not be able to



employ family members, paid for out of public funds, because of the potential for abuse, it said that it was prepared 'to reconsider the issue'.

The paper said they had heard "very strong views" expressed that in practice family members might be the best qualified applicants for the posts.

"On that basis, we feel it is right to allow an opportunity to hear considered views on whether prohibiting the employment of family members is necessary and proportionate," it said.

Ipsa say: "We invite full written responses from anybody who wishes to respond to this paper in more detail" and that includes prisoners. If you want to respond your response must be received at the address below no later than **11 February 2010**.

First, apply for a special letter and then set out your comments on the following questions - Question 1 is in the box to the right, and the other questions are on this and the next page.

You can write anything you wish, it must be considered, and when you have finished send your comments to.

**MPs' Expenses Consultation
Independent Parliamentary Standards
Authority**

**Steel House, 11 Tothill Street
London SW1H 9LH**

MPs Expenses and allowances

Q2: Do you agree with the following proposals to concentrate on expenses rather than allowances wherever possible?

Q3: Do you agree that there should be annual limits to the amount that can be spent from public funds on each of the main elements of our expenses scheme, except for travel and subsistence?

We have identified five main elements of an MP's role which may require support from public funds which are not provided for directly by the House of Commons:

- Overnight accommodation, to reflect that many MPs necessarily work from two places;
- A requirement to travel on business, between those two places of work, within their constituencies, and occasionally elsewhere (where there may also be a need for further overnight accommodation and other subsistence payments);
- Staffing support, for Westminster and constituency work;
- Rental of constituency offices and/or premises for constituency surgeries; and
- Running costs of offices in Westminster and in the constituency.

There are common elements to our approach in each of these areas. At the heart of our approach is the principle that MPs themselves must take responsibility for their actions. We believe as a matter of principle that it is preferable that MPs should receive expenses for costs actually and reasonably incurred, rather than a flat rate allowance, unless the cost of

administering such a system is shown to be disproportionate to the benefits, or the use of expenses imposes an unreasonable burden on MPs to fund costs before claiming them back. This is the basis of the new relationship we believe MPs need to agree with the public.

We propose to apply annual limits to the amount that can be spent from public funds on each of the five main elements of our expenses scheme, except for travel and subsistence. Travel costs will vary too widely between MPs for any simple limit to be devised; and as there is limited scope for personal gain through the payment of travel expenses, it does not seem sensible to draw up a complex web of different limits for MPs based in different regions.

Administering the system of expenses – our new approach

In relation to the following:

Q4: Do you agree with our approach to the submission of claims?

Q5: Are you content with our proposed approach to the publication of claims?

Q6: Do you support the idea of requiring MPs to produce an annual report of their use of public funds?

We intend to automate processes so that all claims have to be electronically submitted by the relevant MP directly. Under our proposals, all claims will need to be supported by documentary evidence unless there are strong reasons otherwise. MPs will not be able to enter into long-term arrangements to spend significant quantities of public money without prior approval. Two examples of this might be entering into a contract on office accommodation, or taking on a new member of staff.

We believe that all claims, whether approved or not, should be published along with the supporting evidence and details of the outcome. We intend to publish the claims as quickly as possible after they are made. We will reject any evidence which the MP or their staff member has attempted to "redact" before passing to us. We are also considering requiring each MP to publish an annual report, setting out publicly how they are spending the public money they receive.

Working from two locations: accommodation for

Question 1. Do you agree that these should be the basis principles applying to MPs expenses?

1. Members of Parliament should always behave with probity and integrity when making claims on public resources. MPs should be held, and regard themselves, as personally responsible and accountable for expenses incurred, and claims made, and for adherence to these principles as well as to the rules.

2. Members of Parliament have the right to be reimbursed for unavoidable costs where they are incurred wholly, exclusively, and necessarily in the performance of their parliamentary duties, but not otherwise.

3. Members of Parliament must not exploit the system for personal financial advantage, nor to confer an undue advantage on a political organisation.

4. a) The system should be open and transparent.

b) The system should be subject to independent audit and assurance.

5. The details of the expenses scheme for Members of Parliament should be determined independently of Parliament.

6. There should be clear, effective and proportionate sanctions for breaches of the rules, robustly enforced.

7. The presumption should be that in matters relating to expenses, MPs should be treated in the same manner as other citizens. If the arrangements depart from those which would normally be expected elsewhere, those departures need to be explicitly justified.

8. The scheme should provide value for the taxpayer. Value for money should not necessarily be judged by reference to financial costs alone.

9. Arrangements should be flexible enough to take account of the diverse working patterns and demands placed upon individual MPs, and should not unduly deter representation from all sections of society.

10. The system should be clear and understandable. If it is difficult to explain an element of the system in terms which the general public will regard as reasonable, that is a powerful argument against it.

11. The system should prohibit MPs from entering into arrangements which might appear to create a conflict of interests in the use of public resources.

12. The system must give the public confidence that high standards of honesty and decency will be upheld.

MPs

In relation to the following:

Q7: We propose that MPs are eligible to claim for accommodation expenses unless their constituency contains a station within London transport zones 1-6. Do you agree with this approach?

Q8: Which of the following is most important in a long-term system for accommodating MPs:

- MPs having responsibility for their own actions;
- Cost to the taxpayer;
- No money passing through MPs' hands;
- Flexibility for MPs to identify properties that meet their particular needs?

Q9: When should the payment of mortgage interest to existing MPs be ended?

Perhaps the most unusual aspect of MPs' lifestyles is that most have two main places of work. Most MPs' constituencies are too far away from Westminster for it to be sensible to commute daily from one to the other. These MPs will therefore need accommodation at a second location to do their jobs. It is right that there is public funding for that accommodation.

But this does not necessarily mean a "second







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Opened: 1868. CNA: 948;

Op. Cap: 1269.

Cat: Category A Core Local.

Insig: MR.

Area: High Security Estate

BACKGROUND: HM Prison Manchester was the scene of Britain's longest prison riot in 1990, and is one of 3 prisons in the country that are operated by public sector staff under a fixed-term Service Level Agreement (SLA). In early 2003 HMP Manchester became part of the High Security Estate. Under the Service Level Agreement Manchester is committed to producing an increasingly positive regime where prisoners are involved in purposeful activity of 21 hours per week. Latest inspection report published January 2010 see below

KEY OFFICIALS:

Area Manager: Steve Wagstaffe

Governing Governor: Richard Vance

Head of Health Care: Kath Crowther

Chaplain: Revd Louise Cooper

Senior Probation Officer: Alison Rothwell

IMB Chair: Mr Michael Davis

MP: Graham Stringer

ACCOMMODATION & FACILITIES: Two Victorian radial blocks (A, B, C, D, E and G, H, I, K) with mix of single and double cells. All have internal light switches, in-cell power points and integral sanitation. Cat A Prisoners—E wing inner, Vulnerable Prisoners—E wing outer, Inductions—G wing, Detoxification—H & I wing, Segregation Unit—E1, Lifer Unit—C wing, Drug-free wing—B wing. Sentence Planning, Group Officer Scheme, MDT and VDT. PIN phones are located on each wing. Maximum monies that can be held on pin

account is £50:00 with the exception of Foreign National Prisoners which is unlimited.

Any credit held at the time of release cannot be reimbursed. Prisoners are advised to use remaining credits before discharge. All prisoners except those on E-list can wear their own clothes. Manchester operates an Incentive and Earned Privileges Scheme. All new prisoners enter the scheme at Standard level. There are three levels of privilege: Enhanced, Standard and Basic. The prison operates the incentive scheme and the wing

Senior Officer has the authority to upgrade prisoners through the levels, but only the Wing Manager can downgrade prisoners. If a prisoner is downgraded he is reviewed a minimum of every 28 days to assess if he is suitable to return to previous incentive level. Majority of prisoners are on Standard level and receive full access to the facilities available. Disabled facilities: Ramp access to the main entrance, prisoner reception and education. Lifts to Education and Chapel, Visits and administration areas and in the Healthcare centre.

TV RENTAL SCHEME: Cells have mains electricity supply and TV aerial points. TVs are available under the National TV Rental system at a cost of 50p a week, per prisoner. Manchester pioneered this scheme and TVs are available to all Enhanced and Standard regime prisoners. Those prisoners placed on Basic regime through an Incentive Board referral lose this facility.

PRISON SHOP: Run by private contractor Aramark. Order system with goods delivered within 24 hours. All inductions receive either a "smoker" or "non-smoker" welcome pack to the value of £3.52 (this includes £2:00 credit on the pin phones). Newspapers, periodicals etc can be ordered.

VISITS: How To Get There. By train to Manchester Victoria, then bus or 5 minute walk to prison. Train to Manchester Piccadilly, then Metrolink (Manchester Tram System) to Victoria Station and then 5 minute walk to prison. By bus: Buses pass along Cheetham Hill Road (2 min. walk) and Great Ducie Street facing the prison. Visiting Times: Legal - Mon-Fri only 0900- 1145, 1400-1645. Pre-book on 0161 817 5656. Domestic - Week Days: 1400 - 1645 Mon-Fri, 1845 - 1945 Mon-Thurs. Weekends: Saturday 0900 -1200 and 1400-1645. Sunday 1400-1645. Closed Visits are Mon-Fri afternoons, Mon-Thurs evenings and Saturday and Sunday afternoons. Notes: All visits must be pre-booked on 0161 817 5655 (Mon-Fri). When phoning, if the lines are engaged, BT have advised that visitors do not press redial, or call back, because it interferes with the phone system, and you will not get through. There is a staffed Visitors Centre, Canteen and Children's Play Area. Visitors should allow enough time at the beginning of their first visit for details to be taken, and for handing in property. Property can be handed in without a visit for 56 days after initial reception Mon-Fri 9-1045 and with a visit Mon-Fri anytime. All visitors are required to book in at the

Visitors Centre prior to entering the prison for a visit.

LEARNING & SKILLS: The education service is contracted out to City College Manchester. The education department is open 5 days per week and for 50 weeks of the year. Classes: Art, Skills for Life, Numeracy, ESOL, ECDL (European Computer Driving Licence), Social and Life Skills, Parentcraft, IT, Flexible Learning. A class is provided for prisoners in the Health Care Centre. VT courses are provided in Industrial Cleaning, Bricklaying, Plastering and Painting and Decorating. Wing based classes provide a range of subjects from Skills for Life to advanced levels, they are available on the Vulnerable Prisoner Unit, Own Protection Wing and Cat A wing. A comprehensive guidance service provides basic skills and dyslexia screening as well as careers and further education advice. There is tutor support for a wide range of correspondence and OU courses. Learners are helped to access funds for courses not available through the in-house education provision.

WORKSHOPS: Computer Aided Design and Printing, Textiles, Upholstery, Contract Work, Laundry, Kitchen, Cleaners, and Orderlies.

ESTAB REPORTS: HMCIP January 2010 Manchester is a 'core local' prison: a local prison that holds a small number of category A prisoners, and which is managed as part of the high security estate. It is the only such prison to be run under a formal Service Level Agreement, following a successful bid by the Prison Service when it was market tested in 2000. Ten years later, it is now facing another market test.

Unlike some of the other core locals, Manchester has always tried to ensure that it can meet the needs of the great majority of its prisoners, who could be found in any large local prison, while ensuring the security necessary for category A prisoners. This inspection found that still to be the case. There was a commendable amount of activity for a local prison, much of it focused on improving employability. The quality of much of the education and training was also high. The fact that category A prisoners were held on a separate landing meant that security arrangements for the rest of the prison did not unduly intrude on the regime. This did, however, create a very claustrophobic and restricted regime on the category A landing.

It was unfortunate that resettlement arrangements for the majority population, which had been commended at previous inspections, had deteriorated somewhat. The north west had led the way in the piloting of offender management arrangements – but this seemed to have stalled, with the withdrawal of dedicated funding. In a local prison where a large proportion of men had histories of drug and alcohol abuse, it was a serious gap that there were no substance abuse programmes. Nevertheless, there remained some good work with community and outside agencies and in some of the resettlement pathways. Resettlement work generally was in need of

reinvigoration and direction. At the 2001 inspection, after the Service Level Agreement, we had considerable concerns about safety at Manchester, with insufficient staff on the wings and limited contact with prisoners. Steps were taken to increase staff presence, and succeeding inspections found the prison to be much safer. It was still reasonably safe on this inspection, with good self-harm and suicide procedures and a relatively low use of force and segregation. However, over half the prisoners said that they had felt unsafe at some time, which was higher than at the previous full inspection in 2004. A third said they had been victimised by other prisoners, but a much larger proportion (44%) said they had been victimised by staff.

In our in-depth interviews with prisoners, our own observations and in the prison's own bullying survey, it was apparent that there was a pervasive lack of trust in staff among prisoners. Unusually, some prisoners were reluctant to talk to us for fear of reprisals – and in one instance, two prisoners were indeed given negative write-ups under the incentives and earned privileges scheme. We also observed communications between and among staff and prisoners which were regularly punctuated by expletives, or where staff shouted or were dismissive. On the other hand, we observed some good, constructive and helpful interactions between staff and prisoners, particularly in the first night and detoxification units. The prison had invested in a lot of prisoner consultation mechanisms; however, they were relatively ineffective in terms of outcome and problem-solving. Nor did prisoners trust the formal applications and complaints procedures.

Manchester is a complex and large prison, which needs to manage a varied population, including those involved in gang activity. It is commendable that it has managed to retain its local prison focus, and to provide purposeful activity for a large number of prisoners, while holding securely its category A prisoners.

The focus and direction of its resettlement work needs attention: in particular, the services for drug and alcohol users. More fundamentally, managers need to explore and remedy the lack of trust between some staff and prisoners, building on the strong relationships in some parts of the prison to ensure that interactions are both appropriate and positive.



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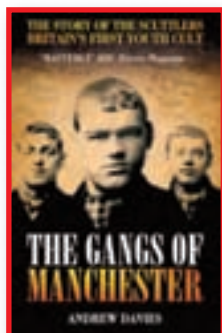
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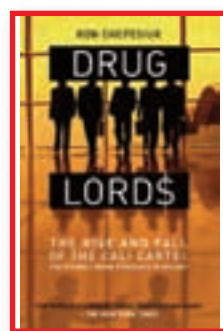
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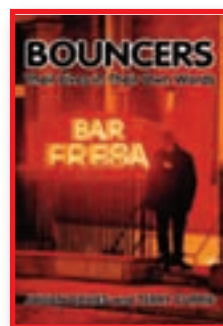


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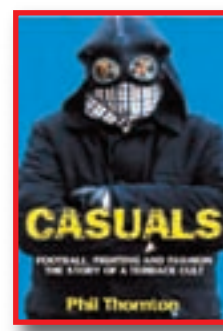
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HMP Liverpool Repay £10,000 In-Cell TV Charges to Prisoners!

A prison has been forced to repay almost £10,000 to inmates who were overcharged for watching their in-cell televisions, the Ministry of Justice has confirmed.

The weekly charge for a television at HMP Liverpool is £1 per cell, but prisoners in shared cells are able to split the cost.

Around 1,400 inmates at the prison will be repaid a total of £9,580 because they were charged the full rate when they were eligible for a discount.

Ministry of Justice officials said the error was isolated to the Merseyside jail.

As featured in national newspapers, the blunder surfaced after inmate Darren Seago sent a letter to prison officials in October last year.

He wrote: "Please could you direct me to the Prison Service Order concerning the price a prison can charge for television rental.

"I am being charged £1 per week, which is the same price for everyone whether you are in a single, double or dormitory cell.

"Common sense and logic would dictate that the price be divided evenly.

"What would happen if one person in a double refused to pay for the TV?

"Would the cell mate still have to pay the same as someone in a single cell? With four inmates in a dorm, all paying £1, the prison is in effect receiving more rental than they have television sets."

A Prison Service spokesman said: "An administrative error at HMP Liverpool resulted in a number of prisoners being overcharged for television rentals all of whom have been refunded.

"There is no indication this has happened in any other prison.

"Prisoners are charged £1 per week for in-cell television rental. This is paid for through prisoners' wages."

Matthew Elliott, chief executive of the TaxPayers' Alliance, said: "It is absurd that we give these criminals televisions for their cells in the first place.

"When you consider that this money they are claiming back was given to them by the prison authorities in the first place, it seems even more cheeky that they are trying to get it refunded.

"If anything this case should be an opportunity to review the whole policy of giving convicts these perks at all."

Peter Johnson Deputy Editor of ConVerse said:

"Every time Matthew Elliott, a non-elected, self-appointed half wit of the Taxpayers Alliance, opens his mouth his brain falls out.

"He ignores completely that thousands of those who watch in-cell television have not been convicted of a crime but are on remand and so are innocent until proven guilty - yet he chooses to describe remand inmates as 'criminals'.

"He also forgets that in-cell television is a privilege, paid for out of the pittance prisoners are paid for making vast profits for private companies who use prison labour as a way of cutting their bottom line costs and so increasing their profits."



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Pages 20, 21 & 23



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is published by
Prisons.Org.Uk

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Manchester
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>> IN THIS MONTH'S ISSUE



'Dodgy Dizzy' Top Met Cop is Finally Nailed

Ali Dizaei the Top Met Cop has been jailed for four years after trying to fit up a web designer

Pages 20, 21 & 23



Prison Officer Jailed

A Pentonville prison officer who had an affair with a "notorious" inmate has been jailed for 21 months.

Page 5



'Officers Sent Inmate 5000 Amorous Texts'

Two officers have been accused of sending a Wormwood Scrubs inmate over 5000 texts. Page 18



Page 26 Spotlight on

**H.M.P.
LIVERPOOL**

Three MPs and a Peer Charged with Fraud

MPs Elliot Morley, David Chaytor, Jim Devine and Lord Hanningfield have been charged with fraud: Page 17



Sign our Petition



Three MPs and a member of the House of Lords who are to face criminal charges in connection with their expenses are set to claim that Parliamentary Privilege means they cannot be tried for their actions - Converse believes such a claim cannot be right.

Parliamentary Privilege, which dates from the 1689 Bill of Rights and is fundamental to the existence of any modern day democracy, states that a Member of Parliament, or a Peer, cannot be sued for anything they say or do in connection with their lawful parliamentary activities - but surely this privilege was never designed to cover what is alleged to be out and out criminal fraud?

The Rule of Law demands that no one is above the law, if an MP commits fraud why should they get off scott free when some Converse readers languish in jail for exactly the same offence?

Parliamentary Privilege was designed to protect freedom of speech, not cloak seemingly blatant criminal acts perpetrated against the public.

We have therefore started a Parliamentary Petition to the Prime Minister and we ask our readers to support it by signing the petition shown here and sending it to their Member of Parliament with a request that they send it to the Prime Minister and report back with his response.

Name: _____

Number: _____

HM Prison: _____

"I petition the Prime Minister to prevent Parliamentary Privilege being used as a bar to criminal proceedings and restrict its use to proceedings which are wholly civil in nature.

I believe that Parliamentary privilege is fundamental to the existence of any democracy, but in criminal matters the Rule of Law demands that no one is above the law and Parliamentary Privilege should be not be used to sanction behaviour which otherwise would amount to criminal conduct; that is not the use of Parliamentary Privilege but the abuse of Parliamentary Privilege."

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We proved that medical records had been fiddled. Paid Compensation

Fractures missed by the hospital, including Wrist, Spinal and Shoulder, up to £75,000 Compensation

Wrongly catheterised. £7,500 Compensation

Wrong prescription given. Various awards of £3,000 plus.

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Dental negligence. £28,000 Compensation

The right to an automatic pre tariff review hearing has been taken away from indeterminate prisoners according to Michelle Casciaro of Swain & Co solicitors.

Michelle says, "there has been a major change in the rules concerning indeterminate sentence prisoners' transfer to open conditions. The introduction of PSI2009/033 means that all indeterminate prisoners with a parole process beginning the 1st February 2010 will not automatically have a pre tariff review before the Parole Board. The position before 1 February was that all indeterminate sentenced prisoners had their cases referred to the Parole Board to consider their suitability for open conditions up to 3 years before the expiry of their tariff. All cases were referred to the Parole Board regardless of whether they were likely to receive a recommendation for transfer to open conditions."

That system resulted in long delays in the Parole Board processing pre tariff review hearings. Now PSI2009/033 provides that "the purpose of this instruction is to target Parole Board and NOMS resources appropriately". This policy applies only to indeterminate sentenced prisoners who are approaching their first Parole Board review where the consideration is for transfer to open conditions only. This instruction does not apply to post-tariff reviews.

The new process set out by PSI2009/033 provides that the "Offender Management Model III (OM3) will adapt the process of the regular Sentence Planning and Review Meetings (SPRM)". As well as the usual issues to be considered at this meeting, consideration will be given to whether to recommend to the Public Protection Casework Section (PPCS) that a case be referred to the Parole Board for a recommendation to open conditions. For IPP prisoners, the "Offender Manager will continue to chair the SPRM wherever possible. For lifer cases, the SPRM will usually be chaired

by the prisoner's Offender Supervisor." It is not for the members of the SPRM to decide whether the prisoner will be transferred to open conditions. It is their job to assess whether there is evidence to suggest to the Parole Board might recommend that the prisoner can be transferred to open conditions. If the PPCS decide to refer the prisoner's case to the Parole Board, it is for the Parole Board to recommend transfer to open conditions. However a prisoner cannot be transferred to open conditions until the Secretary of State has approved this decision. The instruction provides that the pre tariff SPRM at which the sift review will be conducted, "must be 2 months before the parole review process would have otherwise commenced, in accordance with the process under PSO 6010".

The PSI provides that in concluding whether there is enough evidence to refer a case to the PPCS, the following will be considered:

- Static risks identified in the case
- Current OASys Risk of Harm assessment
- Risk of abscond
- Interventions undertaken or ongoing
- Successful completion of OB course
- Custodial behaviour
- Outstanding treatment needs
- Completion dates for any ongoing OB courses
- Security information available

The instruction goes on further to provide that in certain cases there will be a presumption that a case is not suitable to be referred to the PPCS. These are:

- Category A status
- OASys assessment of high/very high risk of harm
- Escape or attempt in last 2 years
- Previous abscond or attempted abscond from Escorted Absence or open conditions in last 2 years
- A proven adjudication for serious violence within last 12 months

Michelle Casciaro says, "Prisoners must be notified of when an SPRM will need to take place and prisoners will be invited to submit representations. Swain & Co believe strongly that legal advice should be sought and help providing in drafting the necessary representations.

After the SPRM the prisoner will then be notified whether his case will be referred to the PPCS. If the prisoner's case is not referred to the PPCS then this can be appealed via the internal complaints procedure and referred to the Prison and Probation Ombudsman if the complaint is not resolved. Again Swain & Co strongly advise that legal advice is sought at this stage."

Michelle Casciaro points out that the PSI does not state whether prisoners are able to instruct solicitors on their behalf to prepare representations to submit for consideration at the SPRM. As a firm that has dealt with a large number of pre tariff review cases, Swain & Co feel strongly that solicitor's representations are vital in putting forward the prisoner's arguments and case. Without legal advice, any representations may not be as thorough as they would be if drafted by a legal professional with many years of legal training.

The PSI does not seem to make any provision for the recent successful Judicial Review case of Guittard conducted by Sara Jayne Pritt of Swain & Co. This decided that in exceptional circumstances prisoners could be recommended for open conditions by the Secretary of State without the approval of the Parole Board.

Michelle Casciaro says, "We feel that it is important that all indeterminate prisoners seek legal advice. A transfer to open conditions is vital in the progress of an indeterminate sentenced prisoner's sentence and we feel that all indeterminate sentence prisoners should use a solicitor to prepare their representations.

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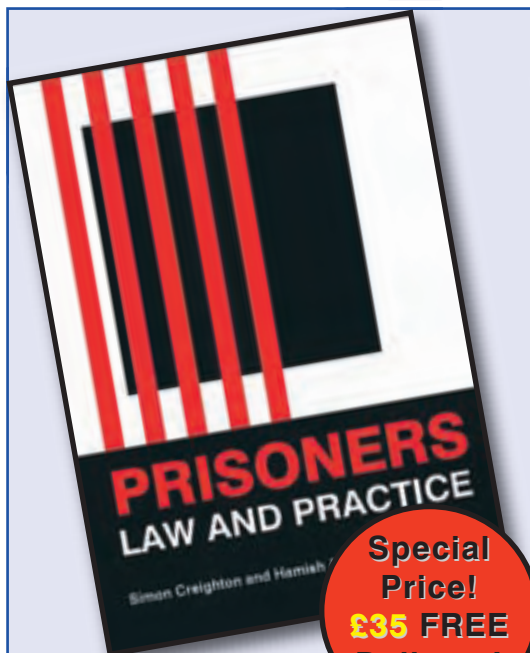


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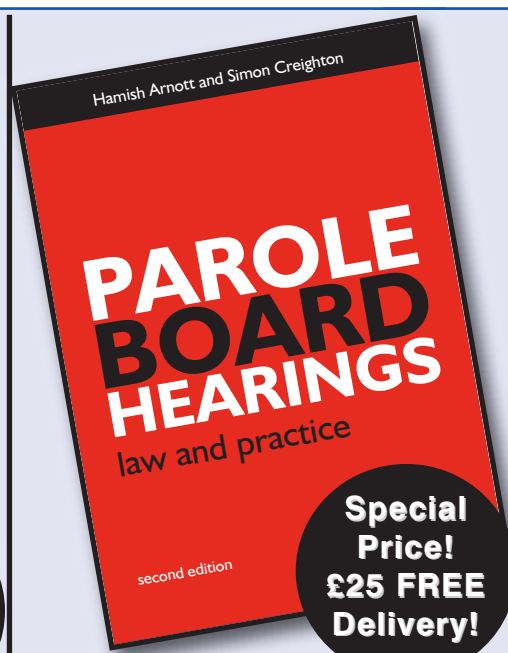
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Con Uses Facebook in Drunken Boast!



A man serving an indefinite jail term in East Yorkshire used Facebook to boast about getting drunk while behind bars, it has been reported.

Brendan Rawsthorn, 25, used a smuggled mobile phone to brag about playing computer games and putting his "feet up" all day at HMP Wolds, near Hull.

Under the profile name Brendan Blows, he posted photos of himself inside his cell.

He described himself as a "down to earth jail bird" who is "doing time for the Queen! Making Money!", the Lancashire Telegraph reported.

One post read: "Made a nice chocolate cake today, I ate it all to myself! I now regret not sharing it, because I feel sick!" Another said:

"All day is playing on my PlayStation and listing to

music with my feet up, drinking prison home brew."

Rawsthorn, from Blackburn, was jailed in November 2006 for starting a fire at a builder's merchants in Darwen, Lancashire, which caused £200,000 damage.

A spokeswoman for Facebook said the page has since been taken down.

She said: "The profile in question has been removed by our user operations team as it was in breach of our terms of use."

"If anyone has concerns about the way an individual is using Facebook, we strongly encourage them to report this to us for investigation by our dedicated user support team."



G4S, which privately manages the Category C Prison, said it has launched a full investigation.

A G4S spokesman said: "It is a criminal offence to have a mobile phone in prison. We are committed to stopping mobile phones from entering our prisons

and have a range of security measures in place to detect contraband."

"Mobile phones have become smaller through

advancing technology and therefore have become increasingly difficult to detect.

If we receive intelligence that there may be a mobile phone in any of our prisons, then we take immediate action." [see Page 24]



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Moonlighting GMP Cop Jailed



A police officer has been jailed for nine months after he was caught holding a second job conducting wedding ceremonies.

Mohammed Patel called in sick and took himself away from duties for Greater Manchester Police (GMP) whenever there was a clash with his secret second career, Manchester Crown Court was told. Timothy Brennand, prosecuting, said Patel legitimately started working as an casual deputy registrar for Bolton Council in January 2003, after obtaining permission from his police bosses. But, without the knowledge of the force, he later took on the same role for Bury, Trafford, Lancashire and Blackburn councils.

Mr Brennand said: "If there was a clash between his police shifts or his duties as a deputy registrar, the

defendant would either tell the police he was ill, say he was at court or say he was performing his duties when, in fact, he was elsewhere."

The prosecutor said in June 2007, Patel told his police employers he was unable to work because of a gastric illness, but on the same two days was paid £25 to be an on-call registrar in Bury.

He said Patel was also known to have worked as a registrar when he was on compassionate leave following the death of his father and on a four-month sick leave following an assault in the course of his police duties.

Mr Brennand said the level of "unjust enrichment" gained by Patel over the four years was around £6,000.

He added: "The prosecution accepts that a significant number of these acts of misconduct reflect instances where the defendant received very modest payment for simply being on call as a registrar.

"However, indirect costs to police in terms of overtime payments to cover his work cannot be calculated to any degree of certainty."

Patel, of Honiton Drive, Bolton, pleaded guilty to seven counts of misconduct in a public office in October last year.

On the same day, he quit GMP where he had worked for 23 years as a £30,000-a-year police constable.

Five of the charges against him represented 46 occasions between August 2003 and September 2007 when he was paid for work or being on call as

a deputy registrar while still on the payroll of GMP, today's sentencing was told.

The two further charges related to police paperwork found at his home and the misuse of an unmarked police car.

Bernadette Baxter, defending, told the court the financial losses suffered by Patel since he was caught "far exceeded" the financial gain.

She added: "Today is a tragedy for him and his family.

"The reality is there was never a conscious decision made by Mr Patel to behave in a dishonest way. It started as a plan to secure work for his retirement. He perhaps convinced himself it would not trespass on his duties as a police officer.

"In the cold light of day, he can see why it was dishonest and he can see why it was wrong."

Jailing Patel for nine months for each of the seven charges, to be served concurrently, Mr Justice Holroyde said: "You were taking advantage of your employer to increase your income in a wholly inappropriate way.

"The holder of a public office such as a police officer must accept there is a public interest in the honest discharge of those duties.

"This is not just a case of an individual cheating his private employer it is, on the contrary, a case of an abuse of an office which is held in high regard by the community.

"In my judgment these offences are so serious that nothing less than a prison sentence is sufficient."

GMP's Professional Standards Branch launched an

investigation into Patel, 49, in the summer of 2008, following a tip-off about his other job.

Detective Chief Superintendent David Keller said: "We are committed to ensuring that all officers and staff conduct themselves with the highest degree of honesty and integrity, thereby putting the safety and service of the public first.

"The communities that we serve have a right to expect such high standards.

"We treat all reports of misconduct committed by our officers very seriously.

"Where our investigations find evidence of criminality, then we investigate fully to ensure that those officers who have broken the law face justice.

"The investigation regarding Mr Patel's conduct has been complex and challenging as he systematically abused the trust placed in him.

"He is no longer in a position to abuse that trust, and I hope that this case serves to reassure the public that we will not tolerate such behaviour."

Peter Johnson deputy editor of ConVerse said:

"Whether it is prison officers who engage in illegal activity for gain, or police officers who think they can get away with fraud, it never ceases to amaze me why they do it and so often for next to nothing.

"This man had a 30 year police career, he was on £30,000 a year and he's ruined it all for what amounts to just forty pounds a week.

"While engaged on this fraud he was no doubt also giving evidence against offenders in court while appearing a pillar of the community - he deserves his sentence and every day of it."

Time Off on The Tag - have you got yours?

Barrister Philip Rule on a new point of law



In a recent case the Court of Appeal has clarified the law relating to credit (meaning time deducted from the sentence passed) being given to a prisoner who is sentenced to a prison sentence but who has spent time on remand on a curfew.

Many lawyers and Judges had previously assumed, wrongly, that the law did not give credit for prisoners who the Court of Appeal has now said are lawfully to be given credit for the time they spent on remand on a curfew.

The law was changed in 2008 to give credit for time spent on remand on a qualifying curfew. Prior to 3rd November 2008 only usually could a prisoner who had 'house arrest' under a 24-hour curfew, or certainly a curfew of over 16 hours, receive a discount from a prison sentence, and then only a "modest" discount. Now, since then, a prisoner who is given an electronically monitored (tagged) curfew for more than 9 hours each day or night will be given half the number of days spent on curfew against his sentence. For example spend 101 days on that type of curfew, and the court will usually deduct 52 days from the sentence it passes (because the halved number is rounded-up).

What has previously been often misunderstood however is that the law does not mean only if you

were returned to court on a date after 3rd November 2008 and prior to sentence would the time spent on curfew on remand be counted. The Court of Appeal has now said that the law means that every prisoner who was on a tagged curfew of at least 9 hours for a period after 3rd November 2008 should normally be given credit, even if they were not remanded by a court formally after that date but only before that date (e.g. remand 1st October 2008, sentenced 1st January 2009 = entitled to credit for all period after 3rd November 2008 to 1st January 2009). The period of credit should take account of all curfew time since 3rd November 2008, and not just days after a return to court for a hearing.

The decision now means that you could qualify for a discount if:

1. You were on remand subject to a tagged curfew before sentence;
2. Your day or night curfew period was for 9 hours or more;
3. The period of your remand included (no matter when it started) some curfew time since 3rd November 2008;
4. The court passing sentence did not make an order for the full time you spent on remand on curfew for the full period (including any time between 3rd November 2008 and any other hearings after that date when there was a further remand).

Because of the previous misunderstandings of the law many prisoners will find that they were not given any time off their prison sentence when they should have. If you think this may have affected you then you should seek legal advice from your solicitor, who can contact me for more information.

Philip Rule, is a barrister at Castle Chambers, 90 High Street, Harrow on the Hill, Middlesex HA1 3LP

NEWS NEWS NEWS NEWS NEWS NEWS



PRISON OFFICER JAILED

A prison officer from Essex who had an affair with a "notorious" inmate awaiting trial for arranging an acid attack on his ex-girlfriend has been jailed for 21 months.

Lisa Harris, (left) 28, smuggled two phones into HMP Pentonville

for Daniel Lynch and then exchanged "amorous" texts with him.

At Blackfriars Crown Court Judge Aidan Marron QC told her: "You were a prison officer and as such you occupied a position of real responsibility. Against all the rules you began an intimate relationship with a notorious prisoner who was at the time on remand awaiting trial for raping a girl and arranging an acid attack upon her. The prisoner is now serving a life sentence."

Harris admitted three counts of misconduct in a public office last month. She maintained Lynch had intimidated her into doing what he wanted, but Judge Marron rejected her claims. He went on: "You knew he was in possession of a mobile phone which could have been used for a variety of criminal purposes. You not only failed to report that but engaged in hundreds of calls with him. It is said on your behalf that you were subject to duress but I utterly reject that submission. You were intimate with him and prepared to do his bidding."

In total Harris, of Mill Lane, Romford, Essex, made 210 calls and text messages to Lynch between

January 31 and February 27 last year. She was caught trying to smuggle a mobile phone into the north London prison for Lynch, and a subsequent investigation revealed she was already in touch with him via another phone that he had in his cell. Lynch was later convicted of arranging for another man to throw sulphuric acid over ex-girlfriend Katie Piper, causing her horrific burns and also of raping her, she waived her right to anonymity to feature in a documentary charting her recovery.

The court heard Harris had sent Lynch "romantic" text messages almost all of which had several kisses at the end.

'BEATEN UNCONSCIOUS' COP ARRESTED

A policewoman from Kent who claimed she had been beaten unconscious during a routine vehicle check has been arrested, it has been disclosed.

Pc Fran Croucher, of Kent Police, was questioned on suspicion of misconduct in a public office and suspended from duty while inquiries continue.

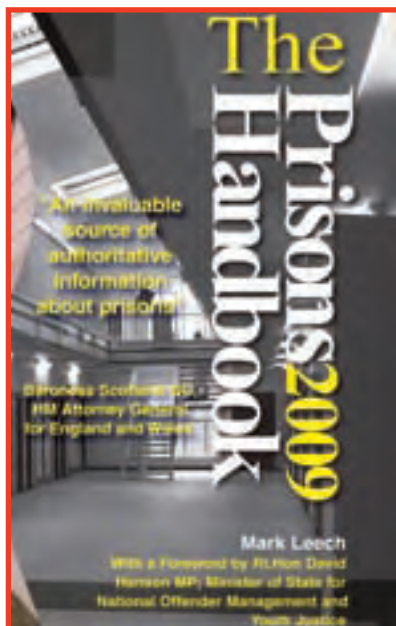
It was claimed she was assaulted by the occupants of a van after asking it to stop during a check in Crockenhill Road, Swanley, at 8.30pm on January 14.

Police said at the time of the incident that she had been knocked unconscious but her injuries were not thought to be life threatening.

A police spokesman confirmed her arrest and said she had been interviewed by the force's professional standards department.

She said: "The officer is suspended from duty while the investigation continues, and has been bailed pending further inquiries.

"No further comment will be made while the investigation continues. The officer was arrested in relation to misconduct in a public office."



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99/105 Horseferry Rd
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**National Offender
Management Service
Cleland House
Page Street
London SW1P 4LN**

News News News



LAWS THAT NEVER BECOME LAWS

A Government sentencing policy combining a short period in prison with probation has "no prospect" of coming into force, ministers have acknowledged.

The "custody plus" plan is one of a series of measures passed by Parliament since 1997 which have yet to be implemented.

Justice minister Lord Bach told Parliament that "resource constraints" meant the sentence had never been made available since the legislation was passed in 2003.

In total 19 Acts containing criminal justice provisions have been passed since 1997.

But in a written statement Lord Bach said 68 sections in those Acts are "currently remain unimplemented, either in full or in part" and 25 schedules are yet to be commenced.

On custody plus, which was in the Criminal Justice Act 2003, Lord Bach said: "Resource constraints have meant that we have been unable thus far to implement custody plus and there is no prospect of doing so in the near future."

"However, we are keen to explore options to support offenders released from short term custody."

Other measures which have not been implemented include the appointment of a Commissioner for Victims and Witnesses.

"A recruitment campaign conducted in 2006 failed to identify a suitable candidate for the role," Lord Bach said. Changes to the legislation have resulted in a new recruitment campaign being launched for a Victims' Commissioner.

Under measures in the Corporate Homicide Act 2007 courts were to be given power to impose an order requiring a negligent firm to publicise details of its conviction and fine.

But commencement of the power has been delayed until guidelines are produced "early this year".

Liberal Democrat home affairs spokesman Chris Huhne said the amount of legislation and the way it was being implemented caused confusion.

He said: "This Government's legislative diarrhoea is best demonstrated in the field of criminal justice."

"It is astonishing that Labour are pressing ahead with yet more law in this area when half of the Acts they've passed in power have not been fully implemented."

"This is a Government that has created over 4,000 new criminal offences since taking office and spread confusion among police officers and judges."

"This torrent of rubbish has to stop."

CONTROL ORDERS REDUCED

The number of control orders in place on terror suspects has fallen, Security Minister Lord West of Spithead has said.

Defending the use of the detention arrangements, he said there were now fewer than 12 of the orders in operation.

Lord West told peers at question time that he would fight "tooth and nail" to keep the ability to use control orders as there was not an "easy alternative".

He said that "none of us like control orders" but they are the "least worst option" despite a series of court defeats.

"They are necessary, I believe, for the security of our nation. The last quoted number of them standing was 12. There are less than that now. We do it on a very careful selected basis."



He added: "I believe they are absolutely necessary and will fight tooth and nail to keep them as I believe there is not an easy alternative at the moment."

Lord West had been asked by Lord Lloyd of Berwick, a former Law lord, whether the Government had a "plan B" in case Parliament does not renew the legislation next month.

The minister said the Government was always looking at threats but it would be "rather foolhardy" to say what they would do if control orders were not renewed.

Control orders were introduced in 2005 after it was ruled that fanatics could no longer be held in prison without charge.

The orders were originally imposed on suspects without giving them the right to know any of the evidence against them.

But last June the Law Lords ruled that was unfair, forcing Home Secretary Alan Johnson to revoke the orders against two unnamed men in order to avoid disclosing secret intelligence.

Last month the High Court went further and decided that the orders must be quashed retrospectively which effectively gave the go-ahead for damages claims for loss of liberty and alleged human rights violations to be brought against the Government.

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the 1 Pump Court page

Prison Law Barristers Working For You

Message from Stephen Field



Now that January is over it is time to really concentrate on the year ahead, 2010. I am very aware that the majority of readers are serving prisoners. For some of you, 2010 may mean release. For others it may mean - and should mean - progress through the prison system to eventual release. Whatever your circumstances, I hope that you will look forward positively this year, and "do your bit" to ensure that your life in prison is bearable, with release as soon as possible.

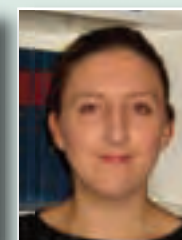
Also by the time you read this, I will have completed the new "Legal" section in The Prisons Handbook 2010 edition. I have written the section with you very much in mind. I believe I understand as well as I can the common issues facing Prisoners. I also believe that the law is there not only to uphold "law and order" and to "protect the public", but also to protect the rights and dignity of Prisoners who have unfortunately, for one reason or another, "fallen foul of the law". The team and I aim to work for Prisoners throughout 2010, providing advice and assistance as well as representation at hearings and trials. So looking forward now rather than backwards, I will say once again: "If it's wrong, do something about it."



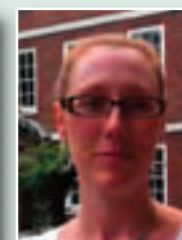
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Message from the team

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The 1 Pump Court Prison Law Team is committed to providing advice, assistance and representation - fighting for you from the smallest prison adjudication to challenging the Secretary of State in the highest courts in the land.

We are happy to work with your existing solicitor if you have one, or to recommend one if you don't. Many of the members of our team are able to accept instructions from prisoners directly without a solicitor in appropriate cases*.

We are easy to talk to and give no-nonsense advice. If you have a Prison Law issue, please fill in the questionnaire in the left hand column. By providing the information requested you can ensure that we can deal with your enquiries as quickly as possible.

We look forward to working with you.

*Barristers who can accept instructions directly are: Stephen Field, Ajanta Kaza, Daniel Kingsley, Sam Parham and Terry Pedro.

LATEST RESULTS

• R (on the application of O) v Secretary of state for Justice, Probation Service and Parole Board – High Court – Judicial Review

A Prisoner (O) was recalled to prison for allegedly assaulting his partner. His partner did not substantiate the allegation and O applied to the parole board for release. The Parole Board refused to recommend his release. The Administrative Court in Leeds quashed the Parole Board's decision refusing to recommend O's release.

• Release on licence / move to open conditions. A member of the prison law team has successfully had a lifer (murder) released on licence & another lifer (in a sensitive murder case) moved to open conditions following oral parole board hearings.

• R (on the application of B) v the Governor HMP Albany – High Court – Judicial Review
A Prisoner (B) suffered from a particular medical condition which gave rise to individual dietary needs. B was unhappy with the way the Prison failed to provide him with meals appropriate to his

medical and dietary needs. He issued judicial review proceedings and at a hearing seeking relief against the Governor, the Secretary of State undertook that in future he would comply with his requirement to provide B with appropriate meals.

• Adjudication result: A prisoner was found to have cannabis and a sim card in his cell and faced losing his enhanced and Category D status. A member of the prison law team represented him at a prison adjudication and he was found not guilty.

IMPORTANT NOTICE ABOUT TELEPHONE CALLS TO CHAMBERS

If the Prison Law Team are doing their jobs properly, they are simply not available to take telephone calls from prisoners during normal working hours (which inevitably involve early starts, late finishes and travelling time). Whilst Fran Springfield (our dedicated Prison Law Team Coordinator) and the clerks (Ian, Sian, Mycal and Johnny) do their best, we do not have a huge administrative support structure within the Prison Law Team, and the phone lines are open **Tues, Wed & Thurs between 3.30 p.m. to 5 p.m.** during which time a rota will be in place to take essential calls.

Questionnaire

Direct Access – Potential New Instructions

Name: Prison No.

HMP

Do not worry if you do not complete all the questions fully, further instructions can be given in due course.

In your own words, what is the general nature of your complaint/query?

What do you realistically want to achieve in relation to your complaint/query (insofar as the law can assist)

Solicitor currently instructed in relation to this matter (if any) and/or your preferred solicitor if a solicitor also needs to be instructed:

Name of solicitor:

Address.....

Alternatively, I do not have a solicitor and would like you to suggest a solicitor should it be desirable to instruct a solicitor and barrister. I give my consent for you to speak with my past, current or future prospective solicitor about my case.

Signed

Date

Please complete this form and send it in an envelope clearly marked: **RULE 39: LEGAL CORRESPONDENCE** to Prison Law Team, 1 Pump Court Chambers, Temple, London EC4Y 7AB and we will reply forthwith. Only send us photocopied documents. NO ORIGINALS please.

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As well as undertaking all Prison law and Criminal defence work, 1 Pump Court Chambers provide a specialist Advice Service to solicitors under the CDS and CLS schemes available to Criminal Franchise holders. Urgent judicial review applications are dealt with immediately and a full

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**"If something's wrong
do something
about it!"**

1,000 Britons Held in Foreign Jails on Drug Charges

Hundreds of travelling Britons are being caught out by strict foreign laws against drug trafficking, the Government has warned.

More than 1,000 British nationals are imprisoned overseas on drugs charges, the Foreign and Commonwealth Office said.

The majority are held in Spain (207), followed by the United States (141), Thailand and France (both 79). Minister Chris Bryant said travellers should be "extremely wary" of getting sucked into drugs because they face long jail terms in harsh conditions.

He said: "The message is clear - we can't get people out of jail in other countries, so if you don't want to

waste your life away in a tough foreign jail, be sensible and keep clean."

His comments came after a British drugs smuggler was executed in China last December despite widespread criticism of his treatment. Mentally ill Akmal Shaikh, 53, a father-of-three from London, was killed by lethal injection after being caught carrying 8.8lb (4kg) of heroin into the country in 2007.

Of 2,582 Britons held overseas, 1,057 are held on drugs charges, according to figures released by the Government.

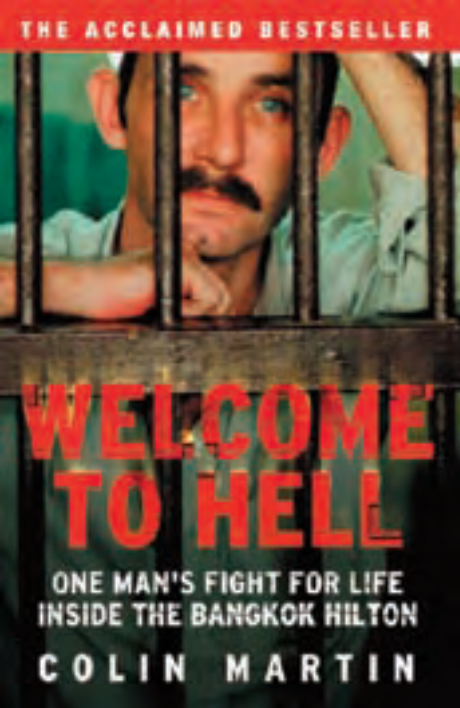
Many countries take an extremely hard-line with drug smugglers, with the death sentence used in China, Malaysia, Singapore and Thailand. Other countries, including Cyprus, India, Venezuela, Ireland and the United Arab Emirates, can impose long sentences, even for small quantities of drugs.

Government officials warned many people have an unrealistic expectation of what can be done for them if they are arrested abroad.

One in five people think diplomatic staff can get them out of prison while others believe they can be automatically transferred to a domestic jail.

Mr Bryant said: "Britons should know the risks of taking drugs abroad - and they should also be extremely wary of being sucked into the drugs trade."

"New figures show that over 1,000 Brits are in prisons overseas for drugs. People often don't



realise that they will be sentenced in that country, that sentencing can take many months, prison conditions can be very difficult to handle and that sentences can be very long."

Pauline Crowe, of Prisoners Abroad, said: "Conditions can be very poor in overseas prisons - particularly in Thailand, and South America where a lot of people are arrested on drugs charges."

"Prisoners are often faced with severe

overcrowding, poor quality food, water and medical care, and sometimes with violence.

"People may commit drugs offences for a wide variety of reasons, but we would encourage people to think of the consequences they will face if caught - the loss of liberty, the impact on their health, and the affect it will have on their family - and the sentences they receive are often in excess of thirty years for a single offence."

Cop Admits 'Information Sharing'



A policeman has admitted sharing information with his cocaine-taking wife which later found its way into the hands of her dealer, it can now be revealed.

Pc Mark Bohannon, 46, pleaded guilty to misconduct in a

public office relating to passing knowledge on to his wife, Denise, 56. He also used her as an informant without telling his colleagues and failed to report her possession of class A drugs.

But he denies knowing that information he supplied to his wife was in turn being passed to Syed Imtiaz Ahmed, the co-ordinator of a drugs organisation that supplied cocaine, ecstasy and cannabis throughout south east London, a court has heard. Mr and Mrs Bohannon, who have been married for 21 years, have pleaded not guilty to conspiracy to commit misconduct in a public office.

But Mr Bohannon has admitted the lesser charge of misconduct in a public office.

The plea had been subject to reporting restrictions but was mentioned in Southwark Crown Court by the defence.

On behalf of Mr Bohannon, Michael Bromley-Martin told jurors that his client had "admitted his wrongdoing".

Mr Bromley-Martin said Mr Bohannon knew his wife had an addiction to cocaine and that she was supplied by Mr Ahmed.

In addition he now accepted that some information from the police system was being passed back to the drug dealer, but that he was not aware of it at the time.

Prosecutors allege that the defendant was commissioned by Ahmed to make checks on the police computer to provide him with tips offs and information about other criminals.

But his lawyer told jurors that he never passed on information directly to Ahmed and was not aware that such knowledge was being leaked to the drug dealer.

In court, the policeman, who has since been suspended from duty, said he accepted that his wife was consciously or unconsciously passing on information to Ahmed.

Asked whether his wife had deceived him over the matter, he replied: "At the time, yes."

Mr Bohannon explained that his wife's drug taking became out of control in the early 2000s.

But he decided to try to deal with the matter himself rather than report the illegal possession of class A drugs to colleagues.

"Out of love for my wife and family I tried to deal with it in the family," the policeman said.

He went on to say that once he knew about his wife's drug habit he used her as a source to obtain information about her dealers with a view of putting them behind bars.

"Denise was forthcoming with information as to where her cocaine was coming from. I was working to act on that," he said during evidence.

But he did not register Denise as an informant and kept her drug use away from colleagues.

Ahmed has previously alleged that he had commissioned Mr Bohannon to undertake checks in return for free cocaine for his wife and money.

Asked if that was the case, Mr Bohannon replied: "No, not at all."

The case continues.

COP ADMITS SEX FLING

A police officer has admitted engaging in sexual activity with a victim of domestic violence he was sent to help in south-east London.

Pc James Formby, 31, pleaded guilty to misconduct in a public office at Southwark Crown Court, the Independent Police Complaints Commission (IPCC) said.

The officer was prosecuted over an incident at a home in Bromley in the early hours of September 19 last year. He was called to a report of a domestic disturbance where a man was arrested and taken away by a colleague.

Formby remained at the scene to take a statement and it was during this time that he engaged in a sex act with the woman.

The case was investigated by anti-corruption officers, overseen by the IPCC, after the woman complained to police.

Rachel Cerfontyne, of the IPCC, said: "Victims of crime must be able to call the police and rely on being dealt with professionally and properly at all times."

"Police officers hold a unique position of trust in the eyes of the public and it is disgraceful that Pc Formby abused that trust in this case."

He should have been supporting a woman who was vulnerable and scared but instead he exploited the situation and his behaviour was completely inappropriate."

Formby will be sentenced on March 1 at Southwark Crown Court.



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the Lawrences page

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Such is their reputation that many people first experience Lawrences as prison law clients - having been referred by existing clients. Lawrences prides itself on fighting for their clients and always aims for excellence. Meet our prison law team on this page and contact any of them regarding our services. We can take telephone instructions, but please bear in mind that most fee earners are out of the office representing clients at court, the police station or in prison. Leave your name, prison number, and establishment details with our friendly telephonists and we will then write to confirm your instructions and then see you as soon as your prison can accommodate a visit. More than anything else, we want to help you.

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O.K.

JAMES SMITH-WILDS



James Smith-Wilds:
Principal

Called to the Bar in 1999, James has always specialised in criminal law. Working in a specialist criminal law firm from the beginning James has always found the system lacking when it came to prisoner rights. Having cross-qualified and then taking over his own firm in 2004, James had the opportunity to provide a proper service for his clients throughout their passage through the criminal justice system, including any period of incarceration. A passionate advocate for justice and the rights of the individual, James established a prison law department based on strict principles and not merely profit. He holds the Certificate of Competency in Prison Law with Distinction and is always keen to get the best possible result for his clients; James fights their corner whatever their circumstances.



Helen Harris:
Head of Prison Law

Since graduating from university in 2003, Helen has been passionate about helping prisoners. In the last 6 years, Helen has built up an encyclopaedic knowledge of the Prison system having only specialised in Prison Law. Seeing prisoners on a daily basis, Helen is a regular at Adjudications and has built up a professional working relationship with many external adjudicators, often having prisoners referred to her and her representations being accepted without challenge. Helen holds the Certificate of Competency in Prison Law with Distinction and meets the new Supervisor criteria, soon to be made compulsory by the Legal Services Commission. Always ready to meet a challenge Helen has an excellent success record at both Adjudications and Parole Hearings.



Sally Smith
Prison Law Specialist

Sally's passion for Law began 14 years ago when she discovered a flair for the work, she qualified as an Accredited Police Station Representative early in 1998 and she has an enviable reputation with her clients for enthusiasm and success in both police stations and prisons. Sally has extensive experience in Police Station, Crown Court and Prison Law cases country wide. Sally has the Certificate of Competency in Prison Law with Distinction and she now specialises in providing advice and representation across the whole Prison Law range. Sally prides herself on having direct contact with her clients, listening to their problems, giving sensible and realistic advice and explaining every step in a way that is easily understood.



Annette Surkitt
Prison Law Specialist

Annette has worked in law for the last 8 years. Having only been with Lawrences for the last six months, such is the level of her specialisation, Annette too will meet the new Supervisor criteria by its implementation in October. Annette is passionate about Prisoner Rights and is always very keen to see the prisoner's view of things. Annette is an excellent addition to the Prison Law team at Lawrences and is extremely popular with clients. Annette, as with all the team at Lawrences, frequently travels up and down the country to see her clients. Believing that the clients' case is the most important issue and getting the best for the client justifies the travelling, ensuring continuity of care and an excellent level of service are the hallmarks of her professionalism.



David Lissaman
Head of the Crown Court Department

David has been working in the Criminal Justice System for 25 years and has specialised in Crown Court work for the last 10 years. David has been with us since 2007 and commented on how much more proactive we are in fighting for our clients. Indeed David noted that in the first 6 months at Lawrences he had conducted more appeals than he had for any other firm before. Since taking over the Crown Court department David has had an almost 100 per cent success rate at appeal. An active family man and keen rugby player, David, like everyone here at Lawrences, is a straight talking lawyer with a robust approach to cases who believes in giving accurate and impartial legal advice.



Mike Pryor
Consultant Solicitor

Mike has over 40 years experience in Crime, he originally qualified as a Solicitor in 1982 and has defended clients ever since. Mike became a consultant at Lawrences after retiring as the Senior Criminal Partner in a Leicester based firm. Primarily a Magistrates trial advocate, Mike handles the more complex prison law cases.



Mark Nichols

Mark has been a solicitor for over 19 years, and he ran his own specialist criminal law practice before joining Lawrences Solicitors two years ago. Primarily a court advocate, Mark is in the process of attaining his Crown Court rights of audience. A keen athlete, Mark approaches his cases with the same gritty determination that he has shown running the London and Paris marathons.



Shirley French: Practice Manager

Having worked at Lawrences since its inception, Shirley now runs the administrative side of the firm and is responsible for all practice issues prior to them being passed to James. This would include general file control and complaints. We have an open and honest attitude towards complaints, and whilst we may not achieve exactly what our client had hoped for, we always endeavour to do our best.



Paula and Jo

For many of our clients the first contact that they have with Lawrences will be with either Paula or Jo. Both of them have been telephonists with law firms since they left school and they have 25 years experience of handling clients between them. Friendly and efficient, always feel free to leave your details knowing they will be passed on promptly so that we can start working on your case straight away.



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HELEN HARRIS

Met Chief Orders New Inquiry into



Scotland Yard Commissioner Sir Paul Stephenson asked an independent watchdog to take another look at its inquiry into John Worboys (above), the London black cab driver believed by police to be one of Britain's worst sexual predators - he was found guilty last year of drugging a dozen women he picked up in his taxi intending to rape or sexually assault them.

The senior officer said he was deeply concerned by an apparently new allegation that officers laughed at one victim of the serial sex attacker.

He has instructed colleagues to speak to those behind an Independent Police Complaints Commission (IPCC) report published this month.

They will ask whether the watchdog knew of the claims and if they took them into account as five officers were disciplined. Speaking at New Scotland Yard, Sir Paul said reports of the woman's comments gave him fresh concerns.

He said: "Irrespective of the circumstances of this particular case, I have got to say I would take the dimmest view of any officer who laughed at a victim. Particularly a victim who reported such a serious crime as this."

The laughter claim was made in comments by a 21-year-old woman who was assaulted by Worboys as he drove her to Eltham in July 2007.

The woman, a student at the University of Greenwich at the time of the attack, said officers patronised her and left her feeling like a criminal. She said: "I just felt they weren't taking me seriously at all. When I told them about my injuries they just laughed and said I must have just fallen over."

The move could mean harsher punishment for a police constable who interviewed her than the written warning he was given. The second officer, also a constable, has since retired and is no longer subject to police disciplinary procedures.

Sir Paul said: "There were mistakes made by officers in the Met and those mistakes had profound consequences. Those were that we ended up with victims of the most heinous crimes that should not have been victims. I am profoundly sorry."

It would appear the allegation officers laughed at the woman is new and was not contained in her original complaint, made last summer.

Worboys, 52, of Rotherhithe, south-east London, was jailed indefinitely last April for drugging and sexually assaulting female passengers.

He preyed on 12 women using champagne and other alcoholic drinks spiked with over-the-counter drugs to sedate them before molesting them in his cab. Detectives have since linked more than 100 crimes to Worboys and suspect he is one of Britain's most prolific sex attackers.

The IPCC was called in by the Met last January after an internal review identified a series of failures in how frontline officers and managers handled the investigation.

The case triggered a major shake-up of how sex crimes are investigated by the country's largest force and the formation of a central unit to oversee all cases. The watchdog said police made serious errors of judgment and should have caught Worboys seven months earlier.

Investigators said police formed a "mindset" that the driver of a black cab was unlikely to be responsible for a sex attack and let him off the hook - they dubbed him 'the black cab driver from hell'.

Police then failed to search Worboys's cab and home and interviewed him before they knew the full details of the serious allegation against him.

Potentially key forensic and CCTV evidence was not chased up and senior officers did not oversee the inquiry adequately and shelved it prematurely.

Forensic analysis uncovered traces of suspicious drugs in the woman's blood and urine but detectives did not ask more questions.

One officer misled the victim by telling her the case had been sent to the Crown Prosecution Service (CPS) for a decision when it had not.

The IPCC said the case must serve as a "wake-up call" to the Met which must demonstrate how it has overhauled its approach to sex crime inquiries.

The officers, ranked constable, sergeant and inspector, received written and verbal warnings for their shortcomings.

But the 21-year-old victim said they should be sacked, as would probably happen if they worked in the private sector.

She said: "If something like this had happened in a private business, people would have been sacked. I just do not see how these people can carry on in the police in Britain."

An IPCC spokeswoman said: "On the evidence available to us we are satisfied that the sanctions are fair and appropriate."

"There were mistakes made by officers in the Met and those mistakes had profound consequences. Those were that we ended up with victims of the most heinous crimes that should not have been victims. I am profoundly sorry."

Met Police Chief Sir Paul Stephenson



Worboys London Black Cab

1996

Worboys passes The Knowledge to become a taxi driver in London. He also continues working as a stripper at night.

2002

The first allegation of sexual assault is made that would later be linked to Worboys. Several more, all involving drivers of black cabs in London, are made over the next four years.

2006

October 14

Worboys picks up a 25-year-old woman on the King's Road, Chelsea. They drink champagne together and smoke cigarettes to celebrate a casino win. He

drugs and sexually assaults her.

November 10

Worboys is hailed by a young woman journalist, now aged 29, in Regent Street, central London, as she leaves a party in the early hours. She passes out and the 40-minute journey to her Balham home takes three hours.

2007

April 5

A 22-year-old woman gets into Worboys's cab after celebrating a friend's birthday at an Oxford Circus club. He offers to take her home to Pinner, Middlesex, for £30 and gives her champagne. She is suspicious and only sips it. When they get to her house he shouts: "You've really wasted my time tonight."

June 29

A 21-year-old office worker is picked up by Worboys in Regent Street and he agrees to take her home to Tufnell Park, north London. They drink champagne. He kissed the victim on her mouth and cheek as she was left powerless to resist.

July (day unknown)

A 19-year-old student is given a lift home by Worboys from a night bus stop in King's Road to her family home in East Sheen. Worboys pays her £50 to down a glass of vodka and suggests she perform a sex act for £350.

July 26

Two women picked up by Worboys on this night complained of being sexually assaulted.

The first was a 23-year-old Scandinavian drama student who lived in the Kings Cross area who was offered a £5 lift home from Regent Street. She poured her glass of champagne on the floor of the cab.

Worboys was found not guilty of drugging the woman.

The second, a 19-year-old student, gets into his cab outside a Covent Garden nightclub at about 3am after he agrees to take her home to New Eltham for £30.

She told the court he persuaded her to have a drink and forced a pill into her mouth but she has no other memory of what happened.

July 27

Police arrest Worboys after recovering CCTV footage showing him carrying the teenage student out of the back of his cab at her halls of residence. He denies any sexual conduct or giving her a drink. He is released on bail.

October 29

Worboys is informed by letter that police will take no further action against him over the July 27 incident.

December 21

Worboys picks up a woman - now aged 27 - outside a Tottenham Court Road club after he persuades her and a friend to reject an unlicensed cab and accept a cheap lift home to Putney.

He raped the woman and his DNA is recovered from semen stains on her clothes. Worboys later sent her a card wishing her a merry Christmas containing £10 he said she dropped in his cab.

2008

January 3

Worboys picks up a 29-year-old insurance broker from Hornchurch, Essex, outside a City pub and agrees to take her home for £20. The woman said he plied her with champagne and asked if she would perform a sex act for £100. Worboys exposed himself, assaulted her and shouted abuse. His DNA was later found on her clothes.

January 11



Drugs found in John Worboys taxi when arrested

TIME LINE: HOW IT ALL UNRAVELLED

Cab driver John Worboys, 52, sexually assaulted a string of women passengers between October 2006 and February 2008.

Serious concerns were raised about the Metropolitan Police inquiry into his crimes after it emerged officers missed a series of opportunities to catch him.



Drink found in John Worboys taxi when arrested

“The Black Cab Driver From Hell”



Drink taken from Worboys cab

A 19-year-old woman said Worboys approached her outside a club on the King's Road. She said she accepted a drink as they travelled to her home in the Smithfield area of London. She paid just £5 and remembers little of what happened. Worboys was found not guilty of drugging her.

February 1

In the early hours Worboys picks up a 23-year-old advertising director outside a Dean Street club who had been entertaining clients and offers to take her to Herne Hill. She drinks champagne and remembered her dress had been pulled up high on her legs as the defendant fiddled with his belt. DNA from the woman and from Worboys was later found on a vibrator at his home.

February 5

Worboys offers to give a 23-year-old woman a lift home to Twickenham from London Bridge. It is her first night out since having a daughter. She began feeling drowsy as they pull up outside her house and Worboys drove off. Forensic experts found traces of condom lubricant in her underwear.

February 8

As police realise a serial sex attacker may be on the loose, the case is transferred from borough officers to Scotland Yard's specialist crime directorate.

February 14

Worboys picks up a 30-year-old journalist and a friend who had been for drinks and a Thai meal in Soho. He agrees to take her home to Shepherd's Bush via Kensington. Once alone, Worboys offers her £5,000 to perform a sex act and gave her a glass of champagne. She could see something fizzing in the liquid and did not drink it.

February 15

An 18-year-old woman is given a lift home to Barnes, south west London, from Oxford Street.

She drinks champagne and is sick. She loses a wristband that is later found at Worboys's home. Shortly after 10am, Worboys is arrested by police at his home in Sovereign Crescent, Rotherhithe, after he is identified. He denies sexually assaulting or drugging any women.

A large number of women come forward to make allegations against him after news emerges he has been held by police.

2009

January 20

Worboys goes on trial.

March 13

Worboys is found guilty at Croydon Crown Court of 19 charges of drugging and sexually assaulting 12 women passengers at the end of a seven-week trial.

April 21

Worboys is jailed indefinitely and ordered to serve a minimum of eight years. Metropolitan Police Commissioner Sir Paul Stephenson said there are "concerning aspects" to the inquiry.

October 12

The IPCC confirms seven police officers have been served so-called Regulation Nine notices, warning them they are under investigation.

December 1

Scotland Yard unveils a new centrally-organised team to catch more rapists and other sex offenders. More than 400 officers will eventually staff the £21 million Scotland Yard team, based in the force's specialist crime wing.

2010

January 20

The IPCC publishes its inquiry into a series of blunders by Metropolitan Police officers as they were faced with the taxi driver's victims.



‘Lottery Money’ taken from Worboys cab

‘Misguided’ Charity Says Ex-offenders Should be Taxi Drivers

A charity which campaigns for the rights of ex-offenders has said that former criminals should not automatically be banned from getting jobs as taxi drivers.

Unlock, the National Association of Ex-Offenders, was responding to an investigation which revealed that people in the West Midlands with previous convictions were working as taxi drivers.

The BBC used a series of Freedom of Information requests to councils and police authorities to obtain the figures, which showed that 209 former offenders in the area had been employed as cab drivers in the past three years.

However, Unlock has responded by saying that it is not a negative thing that reformed offenders have found employment.

Chris Bath, director of projects at the charity, said: "If people are being allowed the opportunity and are choosing to work, it's much better than them relying on benefits or crime."

He added that the Government had previously stated that stable employment was a key factor in preventing ex-criminals re-offending.

Bobby Cummines, Unlock chief executive and former prisoner, said: "If we are going to dig ourselves out of the economic mess we are in, we need to encourage tax burdens to become tax-payers, not the other way around."

In its investigation, the BBC found that "no complaints" had been made to Wolverhampton Council about a licensed taxi driver who had committed 30 offences before getting the job.

Mr Bath said blanket discrimination of offenders did not make economic or social sense. "There will be cases where it may not be appropriate for some people to work in some jobs for a period of time," he said.

"Each case must be considered on its merits and decisions properly justified. People have already been judged and served their time."

A spokesman for the National Taxi Association told the BBC that people with previous convictions tended to have their applications decided on merit.

"If someone does have a lot of previous convictions they are likely to have to go before a council and explain themselves," he said.

The Government's Offender Index database hold

records on more than eight million people in the UK with previous convictions.

Charlotte, who was attacked by a taxi driver in Manchester in 2005 said she thought that ex-offenders should be banned from being taxi drivers, calling Unlock 'misguided and ill-informed.'

"People can be drunk and vulnerable when they get in a cab, we all have a right to know we will be safe and not be taken advantage of - would you want your worse-for-wear daughter driven home by someone like John Worboys?"

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the Mackesys page

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Appeals against conviction

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- Police error or misconduct

- Improperly obtained confessions
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- Poor defence lawyer team

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Our solicitors are all specialist family lawyers and are committed to providing an excellent and sympathetic service to all of our clients. They understand the trauma and distress involved in family breakdown and aim to offer clients a friendly and straightforward service, with a clear explanation of the options available to them. This then enables clients to make well informed decisions with the knowledge that they are doing so having received expert advice.

Mackesys is also committed to legal aid and we have been approved by the legal services commission and currently hold a family law contract with them.

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Tel: 0208 244 0444

Bad Boys, Bad Boys, What You Gonna Do When They Come For You?



YARD TERROR COPS IN 'RENT SCAM'

Three Scotland Yard counter-terrorism detectives who investigated the July 7 bombings have been accused of running a sophisticated rent scam.

The trio and three civilians were charged with conspiracy to defraud, the Independent Police Complaints Commission (IPCC) said.

Investigators have been looking into an alleged fraud in which the Metropolitan Police was overcharged for rented flats in Leeds in 2006 and 2007.

The accused officers are Detective Constable Daren Pooley, 40, Detective Sergeant Nevill Caldecourt, 50, and Det Sgt Peter Allbut, 45.

Pooley's wife Nicola, 39, from Sleaford, Lincolnshire, is also charged with conspiracy to defraud along with her sister, Michelle Butler, 49, and brother-in-law Stephen Butler, 58, who live in Spalding, Lincolnshire.

The three officers were also charged with misconduct in public office. The allegations against them include claims they misused their police credit cards.

All six will appear before City of Westminster Magistrates' Court on February 12.

The alleged fraud took place over 18 months from April 2006, an IPCC spokesman said.

He said: "The charges relate to an alleged conspiracy to defraud the Metropolitan Police Service by dishonestly participating in a scheme to overcharge the MPS for flat rentals in Leeds with the intention of making a secret profit thereby and distributing monies so raised among themselves."



COP CHARGED WITH STRING OF SEX ATTACKS

A Northumbria Police officer has been remanded in custody charged with a string of sex attacks.

Pc Stephen Mitchell, who serves with Northumbria Police, is accused of 43 offences, including rape, indecent assault and misconduct in a public office. The 41-year-old officer first appeared before Newcastle Magistrates' Court this month and the

case was adjourned to allow his solicitor, Geoffrey Forrester, to make a bail application.

Mitchell appeared before District Judge Stephen Earl via videolink from Durham Prison.

Andrea Pitt, for the prosecution, opposed Mr Forrester's application. After an hour-long hearing, the district judge rejected the bail application.

Judge Earl told Mitchell he would remain in custody and face Newcastle Crown Court on February 4.

The allegations involve 19 people and the offences are said to have taken place between 1999 and 2007.

They include seven of rape, 17 of indecent assault and 19 of misconduct in a public office.

The Independent Police Complaints Commission (IPCC) said Mitchell, who has served in the Newcastle and Northumberland area commands, was arrested in Glasgow on Monday and taken to the North East.

A spokesman added: "This is an ongoing investigation and anyone with information which they feel could be relevant to the inquiry is asked to contact Northumbria Police."



AYLESBURY PRISON OFFICER SUSPENDED

A prison officer has been suspended amid allegations of an inappropriate relationship with an inmate in Buckinghamshire, it has emerged.

Kerry Horne, from Aylesbury, is alleged to have struck up a friendship with a prisoner at the Young Offenders' Institution in the town.

She was suspended from her position on Friday 22 January after bosses became aware of the alleged relationship.

A Prison Service spokesman said: "An officer was suspended from Aylesbury prison on Friday January 22 pending an internal investigation."

Aylesbury has a bizarre history of 'inappropriate relationships' between inmates and staff, recently one former officer was jailed after she gave birth to an inmate's child and was convicted of smuggling mobile phones into the jail.

CIVILIAN COP WITH CHILD PORN

A former civilian police employee had dozens of indecent photographs of children on his computers, a court has been told.

Robert Miller, a 54-year-old grandfather, was given a three-year community order and will sign the sex offenders register for five years after he admitted

possessing and making the images. His home in Whitchurch, Cardiff, was searched after a Metropolitan Police investigation into another sex offender revealed they shared pictures.

Police executed a warrant while he was on holiday and found 34 pictures on a computer and 52 on a laptop. Another 57 deleted images were recovered. After his arrest, Miller claimed he had not downloaded the images and did not know they would be saved on his computer when they appeared on the screen.

But he was also found to have obtained pictures through a chat room.

Sentencing at Cardiff Crown Court, Judge Philip Richards said Miller had made a "substantial and positive contribution to the community" as a member of the St John Ambulance.

"I understand that his employment has terminated as a result of these matters," he said.

"It's plain that he worked well for many years in the job that he had."

He said he was "much loved" by family and friends, and had a grandchild with Asperger's syndrome.

The judge told Miller his actions were "extremely wicked" and he had taken part in something that "adds to the exploitation of innocent children".

"It's for that reason that the law takes these matters very seriously," he said.

"In the vast majority of cases, prison sentences are passed."

He said Miller had been punished by losing his job and through no longer being able to carry on with the St John Ambulance, to which he had given "many, many, years' valuable service".

Miller admitted six counts of making and two counts of possessing indecent photographs of children.

The investigation was managed by the Independent Police Complaints Commission (IPCC) because Miller worked for South Wales Police. He was sacked last October.

IPCC commissioner for Wales Tom Davies said:

"Because these images were being shared, and because of the chat room discussion, I asked South Wales Police to also investigate whether Mr Miller had also distributed them and there is no evidence that he had."

"This case shows the strength of the police complaints process and also that people distributing and receiving indecent images of children will be caught and dealt with."

TORY COUNCILLOR REGISTERS AS SEX OFFENDER

A Conservative councillor from the West Midlands who sexually assaulted a 16-year-old girl as they danced alone after a party has been ordered to register as a sex offender.

Ian Hillas, who represents the Castle Bromwich ward on Solihull Council, was also ordered to pay £2,151 costs after admitting sexual assault at Wolverhampton Crown Court.

The 43-year-old was sentenced to a conditional discharge after changing his plea to guilty shortly before he was due to face a jury trial.

The former deputy leader of Solihull Council, who is suspended from his post as the chairman of its Overview and Scrutiny Management Board, remained impassive in the dock as his barrister, Sarah Buckingham, said his life had been destroyed by a moment of "utter madness".

Ms Buckingham stressed that Hillas, of Oakwood Croft, Solihull, pleaded guilty solely on the basis that

he kissed his victim without her consent at a property in the West Midlands last May. The court heard that the offence took place at about 4am after other people present at the party had gone to bed. Ms Buckingham, who submitted 13 references to the court on behalf of Hillas, said: "There clearly was no planning or sinister intent behind this offence. In a moment which one can now view as utter madness, he kissed her on the neck and the cheek. He was almost immediately embarrassed and appalled by what had happened. That brief moment has cost him his friends - his reputation has been ruined, possibly forever - and ended, potentially, his career too."

Hillas, who viewed local government and serving the community as his life, had been punished almost beyond endurance by the court process, the lawyer added. The councillor, who was originally accused of touching the girl under her clothing, was ordered to register as a sex offender for 12 months. Passing sentence, Judge Michael Challinor told the defendant: "This case is now very different indeed from that which was presented in the papers before me. It is clear that you became attracted to this 16-year-old girl and unwisely kissed her while dancing. No doubt you thought she may have responded favourably. The real punishment for you has been the process of prosecution and appearance before the court, branded, as you now are, a sex offender."



'WANKING' OPTICIAN JAILED AFTER WINDOW SEX DISPLAY

An optician who masturbated himself

while giving a vision test to a 14-year-old girl in West Yorkshire has been jailed for 21 months.

John Gill, 36, was convicted last year after a jury heard he was seen 'wanking' at the Clear Vision opticians, in Knottingley, West Yorkshire, when the girl went to collect some contact lenses.

Gill, of Hunters Way, Selby, North Yorkshire, was found guilty of engaging in sexual activity in the presence of a child following a trial in November. He was also convicted of outraging public decency after two women, who were with their children at the time, saw him 'wanking' while he was sitting in a chair in the shop window in 2007.

Sentencing him, Judge Grant said: "This is a serious matter, involving you masturbating in your shop in the presence of a 14-year-old girl, which caused her considerable distress."

"She had been a patient of yours for some considerable time and she trusted you to the extent that when she received a telephone call to tell her that her contact lenses were available for collection, she ran down to your shop and it was while she was there you committed this offence."

Judge Grant said: "I've come to the conclusion that the only proper sentence in your case is one of immediate imprisonment." Spectacled Gill, who stood in the dock wearing a suit and tie, showed no emotion as he was sentenced to 18 months in prison for the offence of engaging in sexual activity in the presence of a child and a consecutive three-month sentence for outraging public decency.

The trial last year heard that Gill took the girl into a back room of his store when she went to collect her contact lenses on August 7 2008. He told the teenager she would need a field vision test to check the lenses were correct and it was while she was having this exam that she saw Gill with his hand down his trousers.

The youngster then became aware of heavy breathing but carried on with the test. When she finished, she saw the optician red-faced and throwing a tissue in the bin.

CONSCRIPT

Letters to the Editor.....

IT'S YOU WHO HAVE TO ADAPT - NOT US

Take It Or Leave It - is a quaint British saying that to me it brings an end to many arguments that would otherwise go on and on into eternity. My husband has been in the Prison Service for almost 20 years and in that time I have watched a Prison Service and a Country go backward instead of forward. I have seen how his once friendly, caring and professional relationships with his prisoners are now tinged with worry and concern lest he says something wrong, something that is politically incorrect - well he might not be able to speak out, but I can.

I am tired of this nation worrying about whether we are offending some individual or their culture. Since the terrorist attacks on London in 2005, we have experienced a surge in patriotism by the majority of British people. However, the dust from the attacks had barely settled before the 'politically correct' crowd began complaining about the possibility that our patriotism might actually be offending others.

I am not against immigration, far from it, nor do I hold any kind of grudge against anyone who is seeking a better life by coming to Britain; some people have left behind real horrors to make the journey to our shores and I welcome them. However, there are a few things that

those who come to our country, and apparently even some of them who were born here, need to understand.

This idea of England being a multicultural centre for community has served only to dilute our sovereignty and our national identity.

As a Briton, I have my own culture, my own society, my own language and my own lifestyle. My British culture has been developed over centuries of wars, struggles, trials and victories fought by the untold masses of men and women who laid down their lives and of the millions of men and women who have sought freedom.

In Britain we speak English, not Spanish, Lebanese, Polish, German, French, Arabic, Chinese, Japanese, Russian, or indeed any other language. Therefore, if those who seek a better life wish to become part of our society, they must at the very least learn our language, and they need to clearly understand that I have absolutely no obligation whatever to learn theirs.

If the concept of Jesus Christ offends them, then I suggest they consider another part of the world as their new home, because Jesus Christ is a part of our culture in Britain. If St. George's cross offends them, then they should seriously consider a move to another part of this planet where they feel more at home.

I am happy with my culture and have no desire to change, and I really don't care

how they did things where they came from. This is my country, my land, and my lifestyle, and I will allow everyone every opportunity to enjoy all this with every one of us - but that treatment also demands respect.

If I go into a friend's house and I am invited to have a cup of coffee, or a bite to eat, is it really acceptable for me to start rearranging the furniture in their lounge while they are in the kitchen?

No, of course not, but that is exactly what seems to be happening today in my country, with state funded 'faith schools' that oppose Christianity, Islamic extremists seeking to disrupt the respectful silent parades at Wootton Bassett, and women who walk around with their faces veiled - only yesterday at the Blue Water Shopping Centre in Greenhithe, near to where I live, I entered the centre behind a young man who was wearing a 'Hoodie' and immediately the security guard stepped forward and told him he must remove it for 'security reasons' or he could not be admitted - fair enough, I understand the issues but why was the young Muslim lady walking in front of him, with full face veil, not spoken to at all?

And when those with other cultures are spoken to, they and their communities complain bitterly that they are being singled out, in some way being picked on. Well I say this to them: once you are done complaining, whining, and griping

about Our Flag, Our Pledge, Our National Anthem, or Our Way of Life, I encourage you to take advantage of one other great historical British freedom and that is the, 'The Right to Leave'.

I didn't force you to come here. If you don't like it go somewhere else, you asked to be here so accept the country that accepted you, and accept it as you found it - because, like being in my neighbour's home you have no more right to start rearranging the furniture of my country than I have the right to rearrange their lounge.

Take it or leave it - that is the answer, and its pretty easy really, when you think about it.

**Proud & Patriotic
Prison Officers' Wife
Sheppey
Kent.**

JOINT ENTERPRISE - WHAT'S THAT ALL ABOUT?

I am writing to ask if you could help me with some legal advice please. I was in my home with my wife watching television when a 36 year old drunken drugged up man hurled a half hundred weight concrete garden ornament through my large front window, it bounced off our solid pine coffee table, smashing it, and narrowly missed hitting me in the head, both my wife and me were in extreme shock and in spite of this I went outside in my bedroom slippers and confronted the man.

I am 64 years old and the man floored me with a single punch, my son was three doors way and when he heard the smashing glass he came running to my aid and found the man about to stamp on my head, the man was holding a bottle of wine which my son took from him and hit him twice over the head causing two skull fractures.

When the police arrived we were both arrested and charged with section 18 wounding with intent to cause grievous bodily harm.

Here are my questions.

1. I am the victim who has now become the culprit.
2. The offender has become the victim
3. Because of the damage caused by this man to the property my landlord is seeking to revoke our tenancy in spite of being exceptional tenants for over 40 years without a problem.

I have had my windows smashed, had the concrete hit me it would have killed me, I was assaulted, yet the police are not charging this man - what can I do to force the police to charge him and get compensation for all the damage he has caused as we have no household insurance.

Finally why do I face such a serious charge when my 18 year old son has admitted causing the man's injuries - I have not struck a single blow yet my solicitor is saying that I am guilty because of 'joint enterprise' - I don't understand this because my home was under siege, I was assaulted, though I'm grateful to my son for saving my life I never contacted, asked or encouraged him to hit the man - can you help?

**John F
HMP Altcourse.**

Peter Johnson replies: I can understand your frustration, and the first thing I would do in your shoes is to dump the lawyer who told you that you were guilty; you have enough problems ahead without having someone 'on your side' who seems confused as to whether he is appearing for the defence or the prosecution.

if what you say is accurate I cannot see how the law of joint enterprise even applies.

In criminal law, the doctrine of common purpose, common design or joint enterprise - whichever you choose to call it - refers to the situation where two or more people embark on a project with a

common purpose that results in the commission of a crime. In this situation the participants are jointly liable for all that results from the acts and omissions occurring within the scope of their agreement. The fact that you did not embark on a 'joint enterprise' with your son, did not contact him, seek his help, or encourage him once he had arrived, seems to say that this was not a joint enterprise at all.

Your son is responsible for the injuries that he inflicted, but the man who attacked your house is a culprit also and its shocking that he seems to have walked away without any consequences befalling him at all.

What can you do? The charge will have to run its course, unless the charge is dropped the trial will have to take place and the jury may well decide that you have done nothing wrong - but you will still have suffered remand time for something but that on your telling of the story wasn't your fault at all.

Because the matter is sub judice there is little that can be done until the trial is over in your case, but that doesn't mean that a campaign cannot be launched to ensure that the person who started this also answers for what he has done.

A General Election is looming, this is an issue ripe for the political animal - contact your MP, raise the profile of your case with letters to him, drum up local support, and whatever happens I wish you the best of luck.

IPPS AND TRANSFER TO OPEN CONDITIONS

I wonder if you could help me and shed some light on a major concern that I have?

I am an IPP inmate who in September 2009 was granted Cat D. My concern is that I am still in closed conditions 5 months later so could you please shed some light on this issue regarding my transfer to Cat D.

Do I have a case for judicial review?
Thanks and keep up the good work

**Adam R
HMP Wellingborough**

Peter Johnson replies: Its a difficult situation but not because the law is not clear on the issue, but because the Prison Service do not seem to want to do anything about changing their instructions which no conflict with the law.

On 27 November 2009 the Prison Service issued PSI 33/2009 which, in paragraph 3.4, reminds Governors that IPP inmates cannot be sent to open conditions without a recommendation from the PB being accepted by the SoS. Three days later, 30 November 2009, in the High Court case of Guittard the High Court issued a Declaration that this was not the law and that an IPP prisoner could be sent to open conditions without a positive recommendation of the Parole Board.

The case of Guittard was brought by solicitor Nick Wells (of Swain and Co, Liverpool (see page 3)). We raised this issue with Russell A'Court, the prison

He asked me to play pool - and used me as the table



This wasn't his sentence and it's not yours! You're in prison to do your time - and that's all.

If you've been the victim of violence in prison you don't have to just accept it. The powers-that-be probably won't help you...see if we can.

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service employee responsible for PSI 33/2009, and asked him to issue an amendment to the PSI in light of the case of Guittard. We also asked his boss, Stephen Watson to do the same.

Russell A'Court told us that he had absolutely no intention of issuing an amendment to the PSI telling Governors about the case of Guittard until he had 'considered his options' - a remarkable statement given that he doesn't actually have any 'options' - the law is the law and the Prison Service have an obligation to tell Governor of cases where the High Court rules its practices and procedures are not lawful - to our knowledge three months after the case of Guittard the Prison Service has not issued an amendment to PSI 33/2009 and as a result it seems that Governors are still labouring under the misapprehension that PSI 33/2009 sets out the current law.

Stephen Watson, A'Court's boss, simply refuses to answer any questions about it - and the result is that until the Prison Service clarifies the matter to its Governors it is inevitable that it will work injustice. My advice is for you to contact Nick Wells at Swain and Co Liverpool and ask him to act for you in this matter. Today we have raised the issue directly with the Director General and will advise you of the response in due course.

TELEVISION AND DVD LICENCES

Can you tell me if Prisons need to have television licences either for in cell televisions or for showing films on DVDs?

I'm within three months of my release and the last thing I need is to find myself busted in the early hours while watching Jeremy Kyle because its suddenly been discovered I'm watching my £1 a week TV unlawfully - and am I also covered when watching DVD films - and what about music played in workshops; this jail could be a hive of criminal activity all going on right underneath the Governor's nose!

**Shane McD
HMP Maidstone**

Peter Johnson replies: Chill out, you're covered! No one is going to jack your door off at three in the morning for watching Jeremy Kyle, well unless they are from the style police, Jo is so 'yesterday'! The DVD issue however is a more contentious issue, as is music in workshops.

Televisions:

Under the Communications Act 2003, all television receiving equipment must be covered by a television licence unless subject to exemption. A Government department or organisation that is part of the Crown can claim exemption, but only where all television receiving equipment on the site is used for "official purposes".

This exemption applies to NOMS headquarters, DOMS offices, prisons and other Prison Service properties as they are either covered by statute or Crown premises.

The exemption also applies to Contracted Prisons as for the purposes of the legislation they are covered by the Prisons Act 1952.

It is not an exemption "as of right", and all prisons must apply for the exemption before it can be granted. Once granted, renewal is not an annual requirement. There will be periodic checks carried

out to ensure that the site is still eligible for exemption.

Television sets which are not used for the purpose of watching or recording programmes as they are being broadcast do not require a licence.

For example, TV sets used for playing pre-recorded material do not need to be licensed; this will include, for example, training units using TV sets to play training films or sets in visitor centres which are used solely to show recorded films or for information channels. However a recording device that records live broadcasts will require a licence, unless it is only for recording programmes that would qualify under "official purposes"

The playing of pre-recorded DVD's does not require a TV licence; however it does require a licence from the distributors, and NOMS have acquired this centrally.

As with domestic use, a single licence covers multiple sets on the same site.

DVDs/Films:

Showing films on DVD or video to groups of prisoners or staff, either in communal areas or via in cell television systems, is considered to be a public performance for which a licence is required. The Prison Service has obtained licences that permit the showing of DVD/video films from most studios in all public sector prisons. These licences also permit the showing of DVD/video films in other Prison Service premises, e.g. headquarters buildings and training units.

Two licences have been purchased covering the studios listed in Annex A to PSI 01/2010 Together these licences should cover all popular films available from High Street rental/sales outlets.

For films covered by the Filmbank licence, prisons are required to make a quarterly return to be made to Filmbank. This is to enable Filmbank to apportion revenue between studios.

Music:

Under the Copyright, Designs and Patents Act 1988, if copyright music is used in public (i.e. outside of the home) permission must be sought first from every copyright owner whose music it is intended to play.

The Performing Rights Society (PRS) for Music is a not-for-profit membership organisation which collects licence fees from music users, and distributes these as royalties to writers and publishers of music from the UK and around the world. PPL is a music service company working on behalf of its performer and record company members.

As it is a legal requirement to gain permission from the music creator to play their music outside of the home, if copyright music continues to be played without a licence NOMS would be liable to pay costs or damages if PRS for Music and PPL have to take legal action.

The playing of music includes radios, CD players, all live television, live performances and "music on hold" on telephone switchboards.

The playing of music in multiple occupancy staff offices, rest rooms and canteens, prisoner workplaces - kitchens and workshops - prisoner recreational areas (other than designated association areas) and visitor centres requires a licence.

Listening to music on personal audio devices such

as iPods does not require a licence.

The playing of music in prisoner residential areas, the gymnasium, and for religious worship is exempt. Playing of music in education classrooms is permissible where the event is specifically relevant to the course being studied (e.g. a training video). Background music is not permissible without a licence.

In view of the high cost, the financial constraints on the Prison Service and the likely perception of spending large amounts of money on music for prisoners, the decision has been taken by the Prison Service not to purchase a licence.

CONSCRIPT LETTERS

Can you tell me your policy on publishing letters? Do you reply to all letters that you receive, and why don't you publish more?

Dave R

HMP Leeds

Peter Johnson replies: Our policy is that we are a newspaper in the real sense of the word, other newspapers have pages of letters whereas we prefer to chose a small proportion which raise issues that are of importance to inmates as a whole and publish those. That is why in Converse you will read all the news that is of interest to most prisoners as we see it, such as police and prison officers that have been nicked for corruption, school teachers guilty of porn, politicians sentenced for fraud - in short we have a clear editorial policy which is founded on highlighting wrongdoing by public officials and giving them the publicity which in many cases they have spent decades giving to others while at the same time behaving even worse themselves.

We receive around 800 letters a week, and like all national newspapers its impossible to reply to them all. Some letters are 20 pages or more in length and we do not have the time, the resources or to be honest the inclination to wade through all that - you may disagree but we're being honest.

The best way of ensuring that your letter stands a chance of being published in Converse is to raise an issue that is of interest to everyone - for example in this ConScript we've covered the vexed issue of Joint Enterprise which has seen many (some would say innocent) people sent to jail when all they did was observe; IPPs inmates and transfer to Open Conditions - IPPs are always of interest to us because we believe the sentence is fundamentally unfair; and then we've covered the legality of watching TV etc in prisons - and of course this one, our letters policy.

Keep your letters brief, and to the point, and make them humorous if you wish - we're human we all like a laugh!

WHO'S THE BOSS?

i have never provided a positive drug test but I find myself being tested and re tested for concealment of items using the BOSS chair. Sometimes this gives a false positive reading and staff insist I am concealing something when I have nothing to hide.

If I refuse to be BOSS tested next time can you tell me what can happen?

Mike J

HMP Brixton

Peter Johnson replies: Refusing is not something that I would recommend. The rules state that if a prisoner refuses to comply with a search using the BOSS he / she should be given a direct order to comply.

If a BOSS search of a prisoner gives a positive indication, the prisoner should be given a direct order to remove the suspected item.

If the prisoner refuses to comply with a search or refuses to remove a suspected item, they should normally be located in the segregation unit (or equivalent) and full-searched. Prisoner Officers may use reasonable force to affect the search, in accordance with Prison Rule 47(YOI Rule 43), which states that:

"An officer in dealing with a prisoner shall not use force unnecessarily and, when the application of force to a prisoner is necessary, no more force than is necessary shall be used."

Male prisoners may be instructed to squat as part of the search. If the squat search reveals a concealed item, it may be removed in accordance with the guidelines provided in the "Full Search" procedure set out in Function 3 of the National Security Framework.

If, after full search, staff have reason to believe that the prisoner has contraband concealed that cannot be recovered, the Head of Security or the Duty Governor may decide to authorise the prisoner's continued location in the segregation unit under Good Order or Discipline if considered reasonable and proportionate. Normal segregation policy should apply as set out in PSO 1700. This provides, amongst other things, that the continued segregation of the prisoner must be initially reviewed within 72 hours and then at least every 14 days.

In order to return to a normal residential area, the prisoner will normally be expected to either hand over the suspected concealed item or provide a negative indication on the BOSS and a negative full search.

Other measures can be undertaken in addition to or as an alternative to segregation. For example, if a prisoner is ordered to comply with a BOSS search or to remove any item indicated by the BOSS and refuses, he /she may be charged with disobeying a lawful order under Prison Rule 51 (22) or YOI Rule 55 (25). Closed visits may be risk assessed as a requirement to prevent further passing of illicit items (see PSO 3610) and action may be initiated under the IEP scheme (see PSO 4000).

This applies equally to visitor and staff as well as inmates. If visitors refuse to undergo a BOSS search they should normally be refused permission to enter the establishment, a member of staff who refuses to submit to a search using the BOSS may be subject to disciplinary action on the basis that they are failing to obey a lawful instruction or written order as set out in PSO 8460. Governors may decide to commission a formal investigation on receipt of a positive BOSS chair indication involving a member of staff under the provisions of PSO 8460 and where intelligence already exists about a member of staff, the receipt of a positive indication should form part of this intelligence and any on-going investigation.

In short the simple answer is they're the Boss, so refusing generally is pointless whoever you are.

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High-Flying City Solicitor Gets Five Years for Multi-Million Pound Fraud



A high-flying City lawyer who conned millions from her bank bosses to help a friend's ailing airline has jailed for five years.

Kate Johns, 39, deputy head of Tokyo Mitsubishi's legal department, repeatedly cajoled colleagues into ignoring procedure and approving letters of credit totalling more than £6 million.

Sentencing her at London's Southwark Crown Court, Judge John Price said: "The essence of the fraud was that you used your position to persuade, cajole and, I'm afraid, bully those lower down the chain of command to authorise the loan."

The massive transfers ended up in the coffers of struggling Indonesian carrier Air Efata, which boasted just three planes, the court heard.

In return, the £150,000-a-year lawyer received pay-offs totalling £1.95 million, more than £1.1 million of

which was promptly used to clear the mortgage on her luxury townhouse.

She also splashed out £40,000 of her "ill-gotten gains" on a pair of earrings to go with the £35,000 ring grateful airline chief Frank Taira-Supit had bought her.

Investigators also found she had received another £1.05 million from him before the scam. She claimed it was for legal advice, but it helped provide her with a lifestyle of shopping trips, personal grooming and breast surgery.

But her massive betrayal of trust failed to rescue the Harvard law graduate's airline and it was grounded. The devastated 58-year-old former lawyer later hanged himself. Married Johns, of Gloucester Avenue, Camden Town, north London, claimed that, far from being a criminal, she had simply been doing the bidding of one of her bosses to protect the bank's interests.

But the jury took less than three hours to unanimously decide she was lying and convict her of 12 offences committed between May 11 and October 25, 2006.

Five offences concerned using letters of credit to obtain money transfers by deception totalling 10.9 million US dollars (£6.67 million) by deception, while the remainder involved the acquisition of £588,373 criminal property.

Pale-looking Johns, who sat for most of the hour-long sentencing with her eyes closed, collapsed in the dock as she was led from the court.

Dock officers, who passed several messages between Johns and her defence team during the hearing, helped her to her feet.

The judge told the court a "brilliant young woman" had "seen her career destroyed".

He said Johns held a "very important and influential position" at the bank and used that position to "persuade, cajole and, I'm afraid, bully" others more junior than herself.

"You covered up by telling people the transaction was confidential," the judge said.

He said the loss of 10 million dollars was "not a lot to a bank of that size, but still a considerable amount" and it had damaged public confidence in the bank "to a degree".

He added: "I don't think that when this scam was hatched by you and Mr Supit, first of all you didn't intend to have the money for yourself.

"You took wholly unjustified risks but honestly believed (in him).

"I'm sure you didn't obtain this loan for your own selfish devices.

"But thereafter you continued recklessly in getting more and more money out of the bank."

The judge went on: "It's heartbreaking to read the letter from your mother, who I have seen throughout the trial.

"I can only imagine how she has shared your suffering.

"She has seen a brilliant young woman become involved in a dishonest loan, obtain money for herself and seen her career destroyed."

Earlier, the judge refused to adjourn the sentencing to enable a further mental health assessment, saying: "If there are real problems with people once they have been sentenced, they are put on a very careful watch and if things deteriorate, they are put in hospital."

He said Johns had made several suicide attempts, both before and after her conviction, and had suffered "depression for many periods of her life". She still remains vulnerable and at "very serious risk", he said.

Referring to married Johns's young daughter, the judge said: "The worst thing in the world to happen would be for that child to lose you."

The judge said no costs would be awarded because Johns had been declared bankrupt.

Earlier, Peter Lownds, defending Johns, said his client's actions were a "reckless gamble" and added: "She must have known it would have been a career-destroyer."

But he said she was of previous good character and suffered from "depression and personality problems".

He added that the extent to which Mr Taira-Supit persuaded her to get involved would never be known.

Mr Lownds added: "These convictions have brought professional disgrace, no doubt a devastating end to her career.

"Prison is her greatest fear. It's a bit like being buried alive."

Tobin Case Assault Case Dropped



Prosecutors have dropped the case against a convicted sex attacker accused of beating up serial killer Peter Tobin in prison.

William Birmingham, 23, was accused of assaulting

the triple murderer at Edinburgh's Saughton jail on November 21, 2007. He was alleged to have injured Tobin by striking him repeatedly on the head and body. Birmingham denied the single assault charge against him and stuck to that plea at a brief hearing at Edinburgh Sheriff Court today.

He was set to go on trial in a fortnight and Tobin was expected to be called to give evidence.

But the Crown told Sheriff Elizabeth Jarvie that the case was to be dropped following inquiries into Tobin's attitude towards it.

Fiscal depute Trevor Smith told the court: "Having considered the result of further police inquiries to ascertain the attitude of the alleged victim to proceedings, the Crown has decided to discontinue proceedings".

Birmingham was jailed for life in 2006 after launching an attack on a senior woman prison officer.

He was serving a five-year sentence for the attempted rape of a 17-year-old girl when he attacked the prison officer with a makeshift knife.

Tobin, 63, was convicted in December of a third murder, that of 18-year-old Dinah McNicol in 1991.

He was already serving a life sentence for murdering 15-year-old schoolgirl Vicky Hamilton, of Redding, near Falkirk, in 1991.

He buried the teenagers in the garden of his home in Margate, Kent.

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Three Labour MPs and One Tory Peer Charged with 'Expenses Fraud'

Three Labour MPs and a Conservative peer were today charged with theft by false accounting in the first prosecutions to result from the Westminster expenses scandal.

The MPs - Elliot Morley of Scunthorpe, David Chaytor of Bury North and Livingston's Jim Devine - all denied the accusations, as did Lord Hanningfield, who faces charges relating to his claims for House of Lords allowances. They will appear at City of Westminster Magistrates' Court - a few hundred yards from Parliament - on March 11, less than a month before the expected start of the general election campaign. If found guilty, they could face jail sentences of up to seven years.

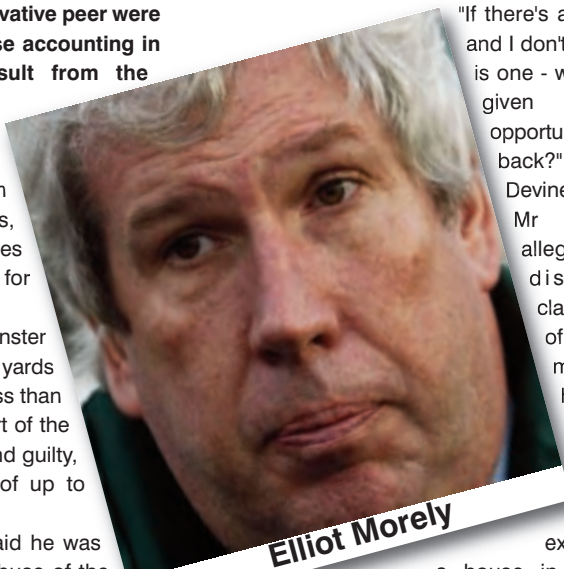
Prime Minister Gordon Brown said he was "very angry" about the alleged abuse of the parliamentary allowance system, and said that all three MPs had already been barred from standing as Labour candidates.

Lord Hanningfield was suspended from the parliamentary Conservative Party and stood down as a front bench business spokesman in the House of Lords and as leader of Essex County Council. The peer said he was "extremely disappointed" to be charged and insisted all his expenses claims were made in good faith.

"I totally refute the charges and will vigorously defend myself against them. I have never claimed more in expenses than I have spent in the course of my duties," he said.

In a joint statement, the three Labour MPs said: "We totally refute any charges that we have committed an offence and we will defend our position robustly." The MPs said they believed their cases should have been dealt with by the Parliamentary Standards Commissioner, adding: "We are confident of our position and have been advised by eminent QCs."

Mr Devine said he was "astonished and devastated" to be charged, and could easily explain the claims under question. Other MPs had been required to repay larger sums as a result of Sir Thomas Legg's audit, which has demanded a total of £1.12 million to be repaid by more than 300 MPs and former MPs.



Elliot Morley

"If there's a problem - and I don't think there is one - why wasn't I given the opportunity to pay it back?" asked Mr Devine.

Mr Morley is alleged to have dishonestly claimed a total of £30,428 more than he was entitled to in second home

expenses on a house in Winterton, near Scunthorpe, between 2004 and 2007 - including 18 months after the mortgage on the property was paid off.

Mr Chaytor faces charges that he claimed almost £13,000 in rent in 2005 and 2006 on a London flat which he owned, as well as £5,425 in 2007 and 2008 to rent a property in Lancashire owned by his mother. He is also alleged to have used false invoices to claim £1,950 for IT services in 2006.

Mr Devine is alleged to have claimed £3,240 for cleaning services and

£5,505 for stationery using false invoices in 2008 and 2009.

And Lord Hanningfield faces six charges of false accounting, relating to claims for overnight allowances from the House of Lords between 2006 and 2009, when records

allegedly show he was in fact driven to his home near Chelmsford.

The charges were announced by Director of Public

Prosecutions Keir Starmer following a nine-month investigation triggered by the leak of expenses details to the Daily Telegraph.

Speaking at the London headquarters of the Crown Prosecution Service, Mr Starmer said six files prepared by Scotland Yard had been reviewed "very carefully by senior prosecuting lawyers in the CPS, assisted where necessary by an external and highly experienced QC". Insufficient evidence had been found to press charges against former Labour chairman Lord Clarke of Hampstead. A further case - believed to involve Labour peer Baroness Uddin - is still under consideration.

Mr Starmer added: "Lawyers representing those who have been charged have raised with us the question of parliamentary privilege. "We have considered that question and concluded that the applicability and extent of a n y parliamentary privilege claimed should be tested in court."

The former chairman of the Westminster sleaze watchdog Committee on Standards in Public Life said that parliamentary privilege should provide no protection against fraud charges.



David Chaytor

"Parliamentary privilege normally relates to statements made inside the House of Commons that might be subject to some form of civil prosecution. It doesn't relate to claims they are making for expenses, where normal criminal law should apply," Sir Alistair Graham told Sky News.

"Compare this with people who are facing court cases and criminal charges if they overclaim on social security benefits. I think expenses should be treated in exactly the same way. It is public money."

Mr Brown told reporters during a visit to Exeter: "These are very serious criminal allegations.

"All criminal allegations have got to be investigated. It's a matter now for the courts. We have got to get rid of that old politics, it cannot be part of the new system.

"That's why I put forward proposals not just to reform the MPs' expenses system but to reform the way that Parliament works and the link between Parliament and the people of this country."

And a Conservative spokesman said: "The Conservative Party has led the way in dealing with the MPs' expenses scandal.

"We were the first to publish the Right To Know form, the first to require the front bench to put their expenses online and the only party to have carried out a scrutiny of all our MPs' expenses - leading to the paying back of over £250,000."

Liberal Democrat parliamentary spokesman David Heath said:

"There should be no question of MPs or peers charged with serious criminal offences sheltering behind parliamentary privilege.

"We do not have immunity from prosecution for parliamentarians in this country. Parliamentary privilege exists purely to ensure we can do our job properly, not to protect us from the law."

There were suggestions that the four may try to have the cases against them thrown out on the basis

that the public are so angered by the whole expenses scandal that they would be unable to get a fair trial with a public jury.



Jim Devine



Lord Hanningfield

Scottish Minister Criticised over Lockerbie Release



The Scottish Justice Secretary has been criticised in a parliamentary report for the way he handled the release of the Lockerbie bomber. A inquiry by MSPs found fault with the decision by Kenny MacAskill to visit Abdelbaset Al Megrahi in Greenock jail.

The report said the visit to the prison was "inappropriate" and also said a second opinion

should have been obtained on the medical evidence which paved the way for his release.

The Justice Committee report comes two months after Mr MacAskill appeared before the only evidence session of the inquiry. MSPs on the committee were split along party lines, with the criticism coming from the majority Labour, Tory and Liberal Democrat members.

The SNP branded the inquiry a "kangaroo court". Tory justice spokesman Bill Aitken, the committee convener, conceded Mr MacAskill had faced a difficult decision.

But he added: "My own view is that if Mr MacAskill was minded to release this mass murderer it should only have been at the terminal stages of his illness when, for the last week or so, he could have been kept in secure humane conditions with his family.

"This was a bad decision, made badly and not thought through."

Mr MacAskill's decision to free Megrahi on

compassionate grounds last August sparked a political storm. The Scottish Parliament was recalled and the SNP's opponents demanded an inquiry. Key areas of contention included the weight of medical evidence which suggested last summer that Megrahi had just three months to live. Almost six months after his release, he is still alive.

The circumstances surrounding the bombing of Pan Am flight 103 over Lockerbie were not investigated. Labour's Holyrood leader, Iain Gray, said: "The decision to release Megrahi was the wrong one and it is also clear that it was after a completely botched process.

"Kenny MacAskill should have properly weighed the seriousness of Megrahi's crime and long sentence against his compassion for Megrahi.

"Mr MacAskill should not have gone to Greenock Prison to have a chat with Scotland's worst mass murderer and he certainly should have obtained a second opinion on the medical evidence."

A Scottish Government spokeswoman said: "The Justice Secretary followed due process every step of the way and he has repeatedly expressed his deepest sympathy for the relatives of all victims of the Lockerbie atrocity.

"Mr MacAskill's decision to allow Mr al Megrahi to return to Libya to die was based on the medical information about his terminal condition, and the recommendations of the parole board and prison governor."

SNP Justice Committee member Stewart Maxwell said the opposition had turned the committee into a "kangaroo court".

He said: "Parliamentary time and resources have been wasted on what was a political stitch-up by the opposition to push their own partisan prejudices.

"They had made their mind up before we even held this inquiry. The proof of that is the fact they called no other witnesses bar the Cabinet Secretary and his officials."

Sex Offenders 'Should be Branded'



The family of a mother and daughter murdered by a sex offender said paedophiles should be "branded" so the public know who they are.

Diane Fallon and her 10-year-old daughter Holly were murdered by convicted sex offender Thomas Smith (above) in Ayrshire last year.

The 26-year-old former soldier tied his victims up, raped Holly and bit Mrs Fallon's body before strangling them at a house in the village of Cronberry, near Cumnock.

Smith was sentenced to life in prison at the High Court in Glasgow this month for both of the murders and must serve a minimum of 32 years before being considered for parole.

Mrs Fallon's sister Deborah Weir, 37, branded Smith as "evil personified" after he was sentenced.

She said it was a disgrace that the authorities did not warn his neighbours when he moved to the village.

She told The Sun newspaper: "He should never have been placed anywhere near families and kids. All these people who go on about human rights - they haven't a clue about what it's like to lose anyone to a beast."

"Paedophiles should be branded, so everyone knows what they are."

Unemployed Smith, who was convicted of indecent assault in May 2006 at Teesside Crown Court, lived next door to his victims at the time he launched his attack.

The bodies of the 43-year-old mother and daughter were found on April 8 near the A70, close to the Lugar River and the Templand Viaduct - just over a mile from their home.

The two were last seen on Smith's 26th birthday,

March 28 last year.

Strathclyde Police said a review would take place into the circumstances surrounding Smith's management as a sex offender.

The force was aware that he moved to the area a couple of years ago.

Cathy Jamieson, MSP for Carrick, Cumnock and Doon Valley, called for a full independent investigation into the case.

The Labour MSP, who believes communities should be told if sex offenders are living amongst them, said: "It's vital to establish if the correct procedures were followed and if anything else could have been done to prevent this terrible tragedy."

"No stone should be left unturned and we need to get to the truth behind this matter."

Tayside Police are currently running a trial scheme to inform parents if known paedophiles are living nearby.

Ms Jamieson said: "The scheme does need to be properly evaluated but the public I'm sure will want this rolled out nationally as soon as possible."

Labour's justice spokesman Richard Baker MSP said: "It's time for a full national inquiry into sex offender monitoring."

South of the Border there are plans for a national scheme in which parents across England and Wales could be told about sex offenders who may come into contact with their children.

The government is considering rolling out the scheme currently being trialled in Southampton, Warwickshire, north Cambridgeshire and Stockton-on-Tees.

Home Secretary Alan Johnson said early results were "extremely encouraging" and the project had protected children.

"Sarah's Law" was proposed after the murder of eight-year-old Sarah Payne (middle) by a convicted sex offender 10 years ago.

Sarah was kidnapped and murdered by Roy Whiting (right) in West Sussex in 2000.

Her mother, Sara, a child protection campaigner, told the News of the World: "In all the long years of



campaigning for parents' rights to keep their children safe from predatory paedophiles, this is the most important development to date."

Under the measures, families will be able to ask police if someone with access to a child has convictions or has been previously suspected of abuse. In the first six months of the trial, which started in September 2008, more than 150 parents made inquiries. Of those, 10

were given relevant information.

The home secretary said: "Protecting children and families from sex offenders is one of my top priorities and the UK already has one of the most robust systems of managing sex offenders in the world."

"The development of this scheme is a major step forward in our ability to protect children from sex offenders."

"Early results are extremely encouraging and the pilot has provided crucial protection for children who might otherwise be at risk."

He said results from the year-long pilot were still being evaluated and talks with the police and children's charities would take place before a final decision was made extending the scheme nationally.

Leader of the Commons, Harriet Harman, said there were cases where the system would make a big difference.

She said: "There have been heart-breaking cases where a woman's got together with a partner and discovers that she's been specifically targeted by him because she's got young children."

"Then she says 'if only I knew what you knew, but there was no way for me to find out.'"

Shadow home secretary Chris Grayling said he supported extending the scheme, as long as checks were made to prevent vigilante action.

He said: "I think it's been right to pilot this whole approach in a number of areas of the country."

"If those pilots have shown that actually it makes a difference, that it doesn't lead to vigilante-style justice, then I'd be very sympathetic and supportive

of the idea that it could be extended." But Liberal Democrat home affairs spokesman Chris Huhne called for more information about the schemes to be made available.

He said: "The concern is that this will do nothing for the safety of children and could even lead to an increase in sex offenders."

American law

Martin Narey, former Director General of the Prison Service and now chief executive of children's charity Barnardo's, said he was encouraged by how the pilots went.

He said: "I was very cautious about this experiment, and we at Barnardo's were worried about the possibility this scheme might drive sex offenders underground, away from police and probation supervision, and put children in danger."

"That doesn't appear to have happened in these four pilots."

Michele Elliott, founder of the Kidscape charity, welcomed the move.

"We are absolutely delighted, we have been campaigning for this, we think it's good for children and it's about time," she said.

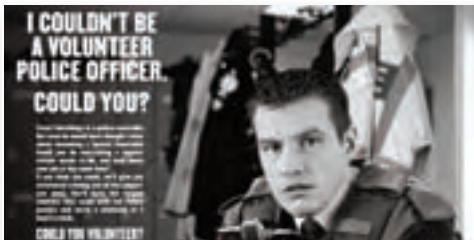
"It's interesting that they have chosen to do this now with an election around the corner, it's a popular thing, but whatever the motivation of the politicians it's important that parents will now be able to get access to this information."

The so-called Megan's Law in the US, which allows the publication of names, addresses and pictures of paedophiles in some states, prompted calls for an equivalent "Sarah's Law" in the UK.

Sara Payne, who is the government's Victims Tsar, has been undergoing treatment after complications following brain surgery but is said to have responded well.



Cops Must Work 2yrs For Nothing



Police recruits may have to volunteer for up to two years before they can be signed up for full service as part of a huge cost-cutting drive.

Senior police officers have been considering proposals to change the rules so only people who have served as specials can join the force.

Would-be officers may also be asked to fund their own training while also spending a minimum of up to 300 hours on the beat for free.

News of the plans emerged as police called on more people to volunteer to safeguard their neighbourhoods during National Specials Weekend.

The charge for unpaid work was led by the Metropolitan Police which aims to more than double its specials from 3,000 to about 7,000 by 2012.

The London force is desperate for more volunteer officers to help balance the books as a huge number of people are needed to secure the Olympic Games. Earlier this week, police leaders met to discuss plans to slash almost £500 million from the national police budget.

One of the measures on the table was to ask the 8,000 officers recruited every year to undertake the majority of their training themselves.

At the moment new officers are effectively paid to sit in a classroom for the first six months of their career. It is understood a university-accredited course in policing and social studies has been considered to replace this training.

Chief constables of many forces can be highly-selective of applicants because fewer places are becoming available as officers delay retirement in the recession.

Earlier this month it emerged about 2,000 would-be officers recruited by the Met in January 2009 may not be able to start until 2011 at the earliest because the force doesn't have the cash to pay them.

Paul Deller, of the Metropolitan Police Federation, said discussions about changes to recruitment have been under way for some time.

He said: "The Federation's concern would be about making sure that the training they receive is adequate and they are properly equipped to do the job."

"Training cannot be done on the cheap. We appreciate training is expensive but when you are depriving people of their liberty and investigating major crimes you need to be appropriately trained." Special constables wear the same uniform and have the same powers as their full-time colleagues, including the power of arrest.

They undertake an 18-day training course which includes officer safety and first aid and are involved in patrols, talks, road safety and security.

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NAILED & JAILED



A top Scotland Yard officer has been jailed for assaulting and falsely arresting a man in a petty row over money.

Commander Ali Dizaei, 47, was sentenced to four years by Mr Justice Simon at London's Southwark Crown Court.

A jury convicted him of misconduct in public office and perverting the course of justice at the end of a four-week trial.

They found he attacked young Iraqi businessman Waad al-Baghdadi before arresting and attempting to frame him. The convictions spell the end of the Iranian officer's controversial 24-year career. Dizaei has been suspended on full pay since September 2008. He emerged unscathed from a series of earlier inquiries, including a multimillion-pound undercover operation examining claims of corruption, fraud and dishonesty.

But an attempt to frame a man who pestered him for payment over a website exposed him as a violent bully and liar who abused his position.

Dizaei will remain a senior police officer until the bureaucratic formal process of throwing him out of the force can be completed.

The Independent Police Complaints Commission (IPCC), which investigated the original complaint, must pass its files to the Metropolitan Police Authority (MPA) for a decision.

Dizaei will then be sacked for gross misconduct and could face losing all or part of his pension under further measures aimed at punishing corrupt officers.

Nick Hardwick, who leads the IPCC, branded Dizaei a "criminal in uniform" who threatened the reputation of the entire service.

The jury heard the two men met by chance in the

Persian Yas restaurant, run by Dizaei's friend Sohrab Eshragi, in Hammersmith Road, west London, on July 18 2008.

Mr al-Baghdadi, 24, approached Dizaei and asked for £600 he was owed for building a website showcasing his career, press interviews and speeches.

This angered Dizaei, who had just eaten a meal with his wife after attending a ceremony at New Scotland Yard for new recruits.

The officer confronted the younger man in a nearby side street where a scuffle took place and Mr al-Baghdadi was roughly arrested and handcuffed.

Prosecutor Peter Wright QC said Dizaei told Mr al-Baghdadi he would "f*** up your life" and had "10 witnesses" who would back him up.

In one of two 999 calls Dizaei asked an operator for "urgent assistance" before starting to arrest Mr al-Baghdadi.

When officers arrived, Dizaei handed them the metal mouthpiece of a shisha pipe, held on Mr al-Baghdadi's key ring, and claimed he had been stabbed with it. But a doctor at Hammersmith police station concluded that two red marks on the officer's torso were probably self-inflicted and did not match the pipe.

Dizaei told colleagues he had been attacked, leaving Mr al-Baghdadi in custody for 24 hours and ultimately facing prosecution.

When Mr al-Baghdadi was told he would not face any charge, he complained about his treatment and Dizaei's web of deceit slowly unravelled.

Mr Wright said the officer was guilty of a "wholesale abuse of power" motivated by self-interest and pride.

Giving evidence, Mr al-Baghdadi compared Dizaei to bloodthirsty movie gangster Tony Montana, a character played by Al Pacino in the 1983 film Scarface.

He said many people were scared of the Metropolitan Police officer because of his status in the Iranian community.

The jury also heard that Dizaei rarely paid for his

meals and left his unmarked car on a double yellow line while at the restaurant.

In his defence, Dizaei said he feared he was being targeted by his own colleagues because of his role as president of the National Black Police Association (NBPA).

Dizaei represented another senior Met officer Tarique Ghaffur as he threatened to sue former commissioner Sir Ian Blair for discrimination and bullying. *(continues next page)*



"Commander Ali Dizaei has been a police officer for nearly 25 years. It is extremely disappointing and concerning that this very senior officer has been found guilty of abusing his position and power.

"The public expect the police to treat them fairly and honestly and we are resolved to tackle corruption at every opportunity.

"He has breached that trust and damaged not only his own reputation but that of the entire police service.

"I am proud of the officers who gave evidence in this case and supported the IPCC investigation.

"Bearing in mind his rank and disgraceful behaviour, he should not be surprised at the severity of his sentence."

**Sir Paul Stephenson,
Met Police Commissioner**

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'Dodgy Dizzy' The Top Cop Who Thought He Was Above The Law

But the jury rejected his claim that the way complaints against him were handled could lead to a "miscarriage of justice" and convicted him of both counts.

Speaking after the verdict, Mr Hardwick said: "Dizaei behaved like a bully and the only way to deal with bullies is to stand up to them.

"Mr al-Baghdadi has shown tremendous strength of character throughout this case - from the moment he was confronted by Ali Dizaei, throughout our investigation, and finally when giving evidence at court.

"We are grateful for the confidence he placed in the IPCC and, as a result of that, justice has been done today.

"The greatest threat to the reputation of the police service is criminals in uniform like Dizaei.

"Corruption comes in many forms and remains a threat to the police service. It requires constant vigilance to fight it. Integrity must not be negotiable.

"I think the public will now be looking to police leadership for reassurance that they will not allow political and financial pressures to prevent them from robustly tackling corruption."

Charles Crichlow, who took over from Dizaei as president of the NBPA, said the verdicts were a "surprise".

He said: "Given the possibility of future appeal proceedings, it would be inappropriate to comment in any detail at this stage.

"This is clearly an extremely difficult and traumatic period for Dr Dizaei and his family and we respect their privacy."

Mr Justice Simon said the sentence included a deterrent element "to send a clear message that police officers of whatever rank are not above the law".

The judge told Dizaei: "You knew how the system worked and you thought you would never be discovered.

"It is to the credit of the investigators in this case that early on they questioned your account.

"You should have drawn a very clear line between your personal position with regard to Mr al-Baghdadi and your position as a police officer.

"You crossed that line and now stand convicted of these offences."

The judge said Dizaei had shown a "grave abuse of public trust" and his conduct had persisted for some time.

Dizaei showed no emotion as he was sentenced and taken down.

Earlier in mitigation, Michael Mansfield QC, (below right) defending Dizaei, told the court: "It's clear that, at least as far as this defendant is concerned, his career is at an end."

Dizaei had a "quite remarkable career spanning 25 years, starting as a police constable and working his way to commander", Mr Mansfield said.

His work in the community and with young people showed his client was "devoted" to his career and the police service, and his performance was repeatedly judged to be "exemplary", Mr Mansfield told the court.

He added: "He was a mentor for colleagues and a role model for young people within the borough."

He said the incident that led to his conviction took place around the same time he was elected president of the National Black Police Association and promoted to the rank of commander.

Dizaei has been "paving the way for years in the way he has recognised the need for change in the Metropolitan Police", Mr Mansfield said.

"It is sad in the extreme that these achievements over the past 25 years now lie overlain by what has happened here today."

Dizaei showed a "sad lapse of judgment", he said. Mr Mansfield urged the judge to recognise that Dizaei's "hopes have been dashed" and that his career is now over.

"A serious mark of disapproval of an officer of this rank committing these offences needs to be balanced against the contribution he has made."

Speaking outside court, Gaon Hart, of the Crown Prosecution Service, said: "The jury agreed today that Commander Ali Dizaei abused his position as a senior police officer when he threatened and arrested an innocent man with whom he had a personal dispute.

"Mr Dizaei had no proper reason for making this arrest and there was no real evidence that this young man had committed any crime on that day.

"Mr Dizaei's corruption, which would have been deplorable in any police officer, was all the more so given his position as a highly-ranked police commander.

"The public entrust the police with considerable powers and with that comes considerable responsibility. Mr Dizaei abused that power and ignored that responsibility.

"The public should have confidence that we will pursue anyone, regardless of their position, where there is evidence that they have committed serious offences of corruption.

"The CPS would like to thank the jury for the careful way in which they have followed the evidence.

"We believe that justice has been served for the victim and for the public in this case.

"We would also like to thank the IPCC for their thorough investigation and particularly we would like to thank the victim, who showed a great deal of courage in giving his evidence."

Met Commissioner Sir Paul Stephenson said: "Commander Ali Dizaei has been a police officer for nearly 25 years.

"It is extremely disappointing and concerning that this very senior officer has been found guilty of abusing his position and power.

"The public expect the police to treat them fairly and honestly and we are resolved to tackle corruption at every opportunity.

"He has breached that trust and damaged not only his own reputation but that of the entire police service.

"I am proud of the officers who gave evidence in this case and supported the IPCC investigation.

"Bearing in mind his rank and disgraceful behaviour, he should not be surprised at the severity of his sentence."

Mark Leech, editor of Converse speaking after the sentence while on holiday said:

"For donkey's years national newspapers, the public and even the police themselves have been running scared of this Dodgy Cop, paying him tens of thousands of pounds in compensation rather than risk even greater sums following libel trials; well now he's finally been caught.

"For a police officer to arrest a member of public for a crime they must have known all along the person hadn't committed is the lowest of the low.

"Now his career is in ruins, and I personally welcome him to the land of £2.50 a week, limited exercise, education and frequent cell searches, not to mention the delights of mandatory drug testing, adjudications and additional days - every single one of which had he got his corrupt way his victim would undoubtedly have suffered for the assault on Dizaei that simply never too place - Dizaei is a disgrace."

>> He could be sacked in weeks, see Page 23



Charting the Fall of the Met's Most Dodgy Cop

April 1986: Dizaei joins Thames Valley Police.

March 1999 Dizaei, a Chief Inspector, transfers to the Metropolitan Police and is promoted to superintendent.

November 1999: Dizaei, now based in Kensington, gives a speech at the first conference of the National Black Police Association. He says police aptitude tests are "culturally biased". Dizaei says ethnic minority officers "need a piece of the success cake and not the crumbs".

August 2000: Officers working in secret under the codename Operation Helios begins to examine Dizaei. They fail to find evidence to substantiate claims Dizaei used prostitutes and spied for Iran.

September 2000: The first reports emerge that Dizaei's BMW car has been vandalised. The attack is linked to a racist

hate campaign against ethnic minority officers.

January 2001: Dizaei is suspended over "a number of disciplinary and criminal issues" including dishonesty, attempting to pervert the course of justice, personal conduct and integrity.

April 2001: Dizaei announces he will take the Met to an employment tribunal alleging discrimination over his promotion prospects.

December 2001: Dizaei is charged with perverting the course of justice, misconduct in a public office and eight counts of false accounting. The officer is accused of lying about the location of his car when its paintwork was scratched. This wasted police time because it led investigators to believe other officers were involved. He is also accused of submitting eight overstated travel expenses claims in 1999 for a total sum of nearly £2,400.

April 2003: Dizaei goes on trial at the Old Bailey. He is acquitted.

September 2003: A second criminal trial of Dizaei, relating to mileage expenses claims, is dropped at the last moment when prosecutors offer no evidence.

November 2003: A police misconduct report finds nine matters against Dizaei could be proved. But a secret deal is brokered between the senior officer and the force which means he will not face punishment. This is strongly criticised by the Independent Police Complaints Commission (IPCC). He later receives around £60,000 in compensation.

May 2004: Dizaei is given a temp promotion to chief superintendent.

June 2004: The IPCC rules Helios was deeply flawed and mishandled from start to finish. Officials say Dizaei should not face disciplinary action, but also should not be promoted for 12 months.

June 2006: Dizaei speaks out after a botched terror raid on the home of two Asian

brothers in Forest Gate, east London. He calls for more rigorous analysis of intelligence.

August 2006: Dizaei claims the profiling of air passengers could create an offence of "travelling whilst Asian". The Police Federation accuse him of inflaming moderate Muslim opinion and sensationalism.

December 2006: It emerges the Met tapped Dizaei's phone calls on the force's internal phone network during Helios as the interception is ruled unlawful by the Investigatory Powers Tribunal.

March 2007: Dizaei's book Not One of Us is published. Scotland Yard says it is "a matter of regret" that the book was written.

June 2007: Commissioner Sir Ian Blair apologises for the damage the Helios inquiry caused to relations with black officers. The Black Police Association agrees to move on.

June 2008: The Metropolitan Police Authority orders an inquiry over claims Dizaei failed to repay money he spent on a police American Express card and not keeping receipts. It is alleged he spent more than £5,000 on clothes and perfume while on a trip to the United States.

July 2008: Dizaei goes to the Persian Yas restaurant in

High Street Kensington, west London. He arrests web designer Waad al-Baghdadi.

September 2008: Dizaei is suspended by the Met's professional standards sub-committee. It emerges he is the subject of three inquiries.

December 2008: Dizaei files a claim of racial discrimination against the Metropolitan Police.

May 2009: Dizaei attends Bishopsgate police station to be charged with misconduct in public office and perverting the course of justice over the clash at Yas restaurant.

June 2009: Dizaei appears at City of Westminster Magistrates' Court and is released on bail.

August 2009: Dizaei pleads not guilty at Southwark Crown Court. Judge Geoffrey Rivlin sets a provisional trial date for November 30.

September 2009: Substantial damages are paid to Dizaei over false claims he is a bigamist.

November 2009: Dizaei is cleared of misusing his corporate credit card by an inquiry led by Dorset Chief Constable Martin Baker. It finds no evidence he acted dishonestly.

December 2009: A Sunday newspaper pays compensation to Dizaei over false claims of security breaches over an illegal immigrant.

January 2010: The trial opens at Southwark Crown Court.

February 2010: Dizaei is found guilty of misconduct in a public office and perverting the course of justice, he's sent down for four years, his career in ruins.

Pioneering Anti-Gang Scheme 'in doubt' as Volunteers Knock on Doors



The future of a pioneering scheme to defuse deadly gang rivalries is in doubt after volunteers admitted they were struggling to find people to help.

Scotland Yard backed an independent mediation service for peace talks among some of London's most violent young people with £300,000 of public money.

An innovative not-for-profit company was set up and community volunteers were recruited and trained on a model developed in Northern Ireland.

But it has emerged that only two out of eight cases referred to mediators have been successfully settled in the first three months of business.

In some cases desperate volunteers have resorted to cold-calling suspected gang members in a bid to get them around a table for talks.

Senior officers have now agreed to roll the scheme out from the original six boroughs of Croydon, Greenwich, Hackney, Lambeth, Lewisham and Southwark to cover the Trident gun crime unit and Brent.

Reshard Auladin, deputy chairman of the Metropolitan Police Authority (MPA), said he was disappointed by the results.

He said: "There was a significant amount of debate over whether the MPA should fund this or not. People were given assurances it would produce significant results.

"I can see some difficulties when this comes back for funding next year on the basis of the information we have here.

"It would be very difficult for the MPA to say we would fund this for another year or two. That is something to be aware of."

But Assistant Commissioner Cressida Dick defended the programme and said going "slowly and steadily" was the right thing to do when people's safety is at stake.

She said: "This is obviously quite a high risk business and we need to try and get the processes right.

"I do think some of the work they have done has been very effective, but frankly, if we stop one murder we have more than saved the costs of this contract."

The programme was brought to the capital at the height of an unprecedented wave of teenage killings in 2008.

A total of 24 mediators have now been trained and security vetted to the same level as counter terrorism officers.

A large amount of money has been spent on specialist computer systems in a bid to prevent the leaking of sensitive information.

At one stage police bosses said the programme could be rolled out across the country if it proved to save lives.

Jennette Arnold, a Labour member of the MPA, said the programme has been viewed negatively among the gangs it is trying to reach.

She said: "I was disappointed by the number of referrals but I think that is because sometimes we are clutching at straws and we expected more in the short-term from this initiative."

Fellow MPA member Cindy Butts asked if the taxpayer was still going to have to pick up the bill for the "full kit and caboodle". She said police appeared to have walked into the deal "with their eyes closed" and original expectations have not been met.

Labour London Assembly member Joanne McCartney said in at least one borough senior officers were not even aware the programme was taking place.

Emma Fleming, of the Met's specialist crime wing, said an internal review was under way to try to get better results.

She said any unused hours of mediation would roll over into the next funding period and if the scheme ends it may be possible to claim money back.

The Metropolitan Police was the main organisation to provide funds, but other groups including the Safer London Foundation and London Councils were involved have also been involved in the which many people in the London Boroughs believed would bring peace to their streets.

Inmate Found Dead in Cell

A man charged with murdering a Polish woman found drowned in the bath at her home in South Yorkshire has been found dead in his prison cell.

Hossein Abdollahzadeh, 32, was on remand awaiting trial for killing bakery worker Agnieszka Dziegielewska.

The 30 year old was found in the bathroom of her home in Swinton, South Yorkshire, last month.

Abdollahzadeh was discovered hanging in his cell at Doncaster Prison on February 9th.

A prison spokesman said staff attempted to resuscitate him but failed.

The death will be investigated by the Prisons Ombudsman.

Miss Dziegielewska moved to the UK

four years ago from Bialystok in north-east Poland. Staff at the bakery where she worked alerted police when she did not turn up for work.

The prison spokesman said: "HMP Doncaster inmate Hossein Abdollahzadeh was found hanging in his cell at 3.23pm on February 9,".

"Staff and paramedics attended and resuscitation was attempted, but Mr Abdollahzadeh was pronounced dead at 3.50pm.

"Police, coroner and next of kin have been informed. The Prisons and Probation Ombudsman will carry out an investigation as he does into all deaths in custody. We have extended our sympathies to Mr Abdollahzadeh's family."

£450 fine for Cig end litter



A man was left with a court bill of more than £450 after dropping a cigarette it has emerged. George Clarke, 52, from

a fixed penalty notice issued by a street warden who saw him drop the butt, the council said.

The 52-year-old was ordered to pay a £175 fine, £276.38 in court costs, plus a victim surcharge, at Loughborough Magistrates' Court last week, Charnwood Borough Council said.

The council's cabinet member for the environment, Hilary Fryer, said: "One dropped cigarette may not seem much, but litter breeds litter.

"Litter is a huge problem and an estimated 28.5 million tonnes of waste are collected in England every year.

"If everyone put their litter in the bin it would save millions of pounds a year and make communities look and feel better."

Gazza in Drink Drive Claim

Former England football star Paul Gascoigne has been released on police bail after he was questioned about drink driving.

The former Newcastle United and Tottenham Hotspur midfielder was taken into custody on Sunday night after police were called to a disturbance at a takeaway in Leeming Bar, North Yorkshire.

The 42-year-old, who has faced a long battle with alcoholism and depression,

and another man were questioned by officers this morning before being released on bail pending further inquiries.

North Yorkshire Police said officers were called to the takeaway restaurant at 9.10pm on Sunday after reports of a disturbance.

Gascoigne and a 40-year-old man were both arrested on suspicion of being drunk while in charge of a motor vehicle and later released on bail.

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Icebergs Ahead - Jail Ships Return?

Proposals to reintroduce prison ships have sparked a furious row at the top of the Conservative Party, it has been claimed.

Floating jails do not feature in the party's draft manifesto, but a spokesman confirmed that they are being considered as a means of fulfilling David Cameron's pledge to end the Government's prisoner early release scheme.

But a leading prison reform campaigner has said that she had spoken to a senior MP in the party's justice team, who said the proposal had been imposed by Mr Cameron's communications chief, Andy Coulson, undermining a lengthy process of careful policy development.

Frances Crook, the director of the Howard League for Penal Reform said: "There is a huge row going on inside the Conservative Party.

"What they are concerned about is that they are democratically elected as MPs and have spent four or five years developing carefully thought-out policies on crime and justice based on extensive consultation, and then Coulson comes along and thinks it would be a good idea to announce they are going to have a prison ship.

"I was told that frontbenchers were very, very upset about the way things have been going. They feel that democratic accountability has been undermined."

A Conservative insider dismissed suggestions of tensions within Mr Cameron's team over the prison ship proposal, which emerged in several newspapers this weekend.

Britain's last floating jail, HMP The Weare, was sold in 2005 after eight years holding prisoners off Portland, Dorset.

The ship's temporary stint as a jail was controversial, with the Chief Inspector of Prisons denouncing it unfit for purpose because of the lack of access to fresh air and exercise.

But it is thought that a Tory government may have to resort once more to prison ships in order to halt the



End of Custody Licence scheme, which was introduced in England and Wales in 2007 and allows offenders to be freed up to 18 days before their due date.

Tories have criticised the scheme for fuelling crime, pointing out that 75,000 inmates have been released early since Gordon Brown came to power and that 1,500 offences have been committed by people on early release.

Serious sexual and violent offenders are excluded from the scheme, but statistics show that almost 15,000 of those freed were convicted of violence against the person.

Falling property prices have sparked doubts over Conservative plans to raise the cash needed to build new prison capacity by selling off Victorian-era jails in prime city centre locations, forcing the party to look at alternatives. Asked about the prospect of prison ships, a Conservative spokesman said: "This proposal has not been included in our draft crime manifesto.

"But it is something we are considering as a way of ending Labour's early release scheme that has

allowed 75,000 offenders to be released early."

Ms Crook described prison ships as "an expensive waste of everybody's time".

"If you are going to be holding people for long periods of time, the prisons they are held in should be busy, active places where they learn skills and are involved in real work and prepared for release," she said.

"You can't do that on a ship. On The Weare (above) there were no real exercise facilities. They had to hand-pick a small group of well-behaved prisoners from all over the country who were on long sentences to hold there, and that is not the way the prison system should be run."

A Prison Service spokesman said: "Ministers have made clear they will end the End of Custody Licence scheme as soon as there is sufficient capacity to do so. We are making good progress to increase prison places to 96,000 by 2014 - having increased it substantially over the last decade.

"All prisoners released on ECL would have to have been released anyway in a maximum of 18 days' time. Prisoners serving a sentence for a serious

violent offence are excluded from ECL."

Shadow justice secretary Dominic Grieve said: "The use of prison ships as a way of ending Labour's early release scheme is an idea the Conservative Party is seriously considering.

"However, it is completely untrue to suggest that Andy Coulson has had any involvement in policy-making in this area."

Liberal Democrat justice spokesman David Howarth said: "I'm appalled by this prison ships proposal, which will be taking criminal justice policy back 200 years.

"It is essential that the general election doesn't result in a pointless arms race about crime, which will only end with a criminal justice system that fails to do what works and lead to more crime not less.

"The massive increase in prison building must cease and resources instead should be spent on sentences that actually reduce reoffending."

Juliet Lyon, director of the Prison Reform Trust, described prison ships as "an outdated idea best left on the seabed".

Ms Lyon said: "When politicians read the new cross-party justice re-investment report, they will see that spending on breaking addictions to drugs and binge-drinking will do far more to cut crime than dredging up some rusty old prison ship."

Prisons Minister Maria Eagle said: "It would be a waste of millions and millions of pounds of taxpayers' money to buy a prison ship.

"We considered it and rejected it because land-based places are cheaper, and we've proved that by building more places than a ship could provide at HMP Littlehey.

"This is a wheeze dreamt up by Tory spin chief Andy Coulson for a quick headline, despite the opposition of the Tory justice team - who have threatened to quit over it.

"It tells you everything you need to know about the Tories - divided, lacking substance and not serious about how to manage the public finances."

Corrupt Cop Could Be 'Sacked in Weeks'



As a convicted corrupt officer, Ali Dizaei could be dismissed from the Metropolitan Police within weeks.

The senior officer's fate lies in the hands of members of the Metropolitan Police Authority (MPA), the force's board of governors.

The body's primary position is a sore point with

Commissioner Sir Paul Stephenson, who has made clear he wants the power to hire and fire his top team.

MPA officials will receive details of the inquiry by the Independent Police Complaints Commission (IPCC), including a recommendation of what action could be taken.

Under the Police Misconduct Regulations 2004, they can fast-track the disciplinary action as a "special case" if they believe it is in the public interest to sack Dizaei as soon as possible.

If this occurs, the MPA serves a formal notice on Dizaei that a hearing will take place not less than 21 days and not more than 28 days from the date of the letter.

No witnesses attend the tribunal hearing and the body will submit a report on its conclusions on what sanction should be imposed to the MPA and Dizaei.

The tribunal is made up of one person selected from a list approved by the Lord Chancellor and

supported by a senior police officer and possibly other legal experts.

Members of the MPA must then decide whether the officer breached acceptable standards and what punishment, from a warning to dismissal, should be taken.

Dizaei, who earned between £90,000 and £105,000 and has been on full pay since his suspension in September 2008, could then face losing all or part of his pension.

Members of the MPA can vote to order Dizaei to forfeit his substantial pension with powers handed to them under the Police Pensions Regulations 1987.

But first the Home Secretary must agree his crimes were "gravely injurious to the interests of the state" or liable to lead to loss of confidence in police.

In the 12 months to last October, the MPA considered nine cases and voted to seize 40% of an officer's pension in two.

With another six years' service, Dizaei could have looked forward to a final salary pension of around £60,000 a year plus a six-figure lump sum payout.

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Victims Bodies in Talks with Ministers Over Facebook Taunts



Families of violent crime victims will meet politicians and Facebook executives this week to urge action over prisoners posting messages online from inside their cells.

Barry Mizen, whose teenage son Jimmy was murdered by Jake Fahri in May 2008, will lead a delegation calling for websites to take down "nasty" material.

He said complaints over postings often "disappeared into cyberspace" instead of prompting their removal.

The family of Ben Kinsella told last month of their outrage at taunts posted on Facebook by his killer, Jade Braithwaite.

Braithwaite, who is serving a life sentence, wrote that he was "down but not out" and posted a mock-up photo of himself wearing a T-shirt which said

"Free Jade Braithwaite".

Mr Mizen, his wife Margaret and Richard Taylor, father of murdered schoolboy Damilola, will attend talks chaired by Justice Secretary Jack Straw on Wednesday.

Representatives of Facebook and regulator Ofcom will also attend, a spokesman for the Mizen family said.

"I think social networking and Facebook are great sites but there has to be a degree of monitoring and responsibility - and that lies firmly with the social networking site," Mr Mizen said.

"They need to regulate themselves or they could end up with Government regulation."

"If hundreds or thousands of people are complaining you should look at it and take it down."

"After people have been found guilty and put in

prison you don't want them to be able to bully or intimidate you from in prison."

The family believe a Twitter message accusing their son of being a "pathetic loser" was posted by Fahri, who attacked Jimmy in a bakery in Lee, south-east London.

A Ministry of Justice spokesman said: "We will not hesitate to refer to the police any published material that appears to cause harassment, alarm or distress."

"We will continue to work with Facebook to ensure such material is removed whenever we find it or whenever it is drawn to our attention."

"We recognise it is deeply distressing for victims and their families and friends and we have made it clear to Facebook that we do not think it acceptable or appropriate for such profiles to remain active,

something Facebook agrees with.

"All of the major social networking sites have terms-of-use policies that make it clear such behaviour is not acceptable and have measures in place to have material removed if users complain."

"If material is considered to be causing harassment or distress, or constitutes illegal activity, Facebook's policy is to remove the offending account."

Justice Secretary Jack Straw said: "I have made clear my concern about prisoners' social networking sites being updated, either through illicit technology or via outside contacts."

"Less than two weeks ago, I said I wanted a meeting to discuss the issue, and this week I have arranged to talk with victims' representatives, Facebook, Ofcom and other Government departments."

A Facebook spokesman said: "The Ministry of Justice has confirmed that access to social networking sites for serving prisoners is always prohibited."

"In light of these reports we are working closely with them to see what further steps and precautions are needed."

"Facebook's rules ban users from harassment or intimidation. They also prohibit the creation of fake profiles and sharing profile access details with other people and we will remove accounts that violate these policies."

"Facebook is used by 350 million people worldwide to share information and views."

"We take their safety very seriously. All our users are encouraged to report any abuses or breaches of our rules."

"We have a dedicated team who review all reports. We continue to work on improving our systems to prevent the tiny minority abusing our site."

[see *Con uses facebook in drunken boast* Page 4]

Immigration Centre Mothers Step Up Protest at Child Separation



A group of mothers detained at an immigration centre have stepped up their protest at being separated from their children.

Police were called to the Yarl's Wood centre in Bedfordshire where more than 80 women are said to be on hunger strike in protest against their detention and conditions.

A statement released by a group called Women behind the Wire @ Yarl's Wood IRC said the hunger strike began on last week.

It is understood a number of protesters were separated from the other detainees today and kept in a hallway or corridor for several hours after asking to speak to officials.

One detainee, who said she had been held at the

centre for three months without her two young children, told how 80 or so women had spent at least six hours shut in a hallway.

The woman, who gave her name only as Aisha, said: "We just came in here quietly and said we wanted to speak to the immigration people."

"All we want is an explanation of why we have to be detained for so long."

"It's getting really cold in this hallway now and we have no water, no food and no toilet facilities. Women have had to go to the toilet in the same room we've been locked up in."

"Five women have fainted. There's urine everywhere, it's disgusting and it smells."

It is not clear exactly how many of the women have been separated from their children.

Aisha's children, aged 10 and six, are being looked after by her sister in Kilburn, north-west London, and she can only see them once a fortnight when they come and visit her, she added.

The 29-year-old Nigerian came to the UK in 1999

and was imprisoned in 2004 for using false documents to enrol at a university in London, she said. She served six months behind bars and on her release was taken to Yarl's Wood.

Lisa Nandy, policy adviser at the Children's Society, and Celia Clarke, director of Bail for Immigration Detainees, said in a joint statement: "We are very concerned about the reports we have received from detainees in Yarl's Wood Immigration Removal Centre that there has been a disturbance that has resulted in the police being called."

"We understand that a number of women are protesting against their enforced separation from their children and are extremely distressed."

"We urge the UK Border Agency (UKBA) to ensure the safety of all the women involved in this protest. We share their concerns about the impact of separating a child from their mother."

The UKBA said the detainees would be integrated back into the centre at the earliest opportunity.

David Wood, strategic director of the UKBA's criminality and detention group, said: "Around 40 women at Yarl's Wood Immigration Removal Centre are protesting against their detention and have been separated from other detainees while staff try to resolve concerns raised by these individuals."

"The well-being of detainees is of paramount concern to the UK Border Agency, which is why healthcare staff are there monitor developments."

"All detainees are treated with dignity and respect, with access to legal advice and healthcare facilities. We only remove those who both the UKBA and the independent courts deem to have no legal right to be here."

Today's incident was contained within the compound, Bedfordshire Police said.

A spokeswoman said: "Bedfordshire Police were called by staff at Yarl's Wood immigration detention centre at 1.30pm following reports of minor disorder involving a small number of detainees."

"The police helicopter flew over the area at lunchtime for assessment purposes but has since left."

"As of 2pm today all detainees were described as calm and talking with Yarl's Wood staff to address their concerns."

"Police officers, including dog units, are on standby outside the perimeter fence of the compound and will not be involved unless requested directly."

No one is thought to have been injured.

Women behind the Wire is calling for an end to the detention of children and their mothers, rape survivors and other torture victims; an end to the detention of physically or mentally sick people and pregnant women for long periods of time; enough time and resources for residents who need to present their cases; access to appropriate medical treatment and care. **see back page for update**

US Admits to Torture at Secret 'Guantanamo' Jail Inside Thailand



The United States government has admitted for the first time that it had a secret jail in Thailand where suspected al-Qaeda operatives were flown in to be interrogated, including being subjected to "waterboarding".

Federal prosecutors revealed the details in documents submitted to a court in New York as part of a Freedom of Information Act lawsuit brought by the American Civil Liberties Union.

Prosecutors also revealed that 92 videotapes made and stored in Thailand of the questionable interrogation techniques had been personally ordered to be destroyed by the CIA Head, Jose A Rodriguez Jr.

The tapes concerning two detainees, Abu Zubaydah and Abd al-Rahim al-Nashiri, were

destroyed as the US Congress and the courts were intensifying their scrutiny of the agency's detention and interrogation programme. The civil liberties union is asking a judge to hold the agency in contempt for destroying the tapes.

In a speech on Monday in Washington, Attorney-General Eric Holder said "waterboarding is torture" and he would never authorise the technique.

In November 2005, the Washington Post and ABC News ran stories accusing the CIA of using "rendition" flights to transfer alleged al-Qaeda operatives to Thailand.

Mr Zubaydah was arrested in Pakistan while Mr al-Nashiri was arrested in the United Arab Emirates.

The reports claimed the CIA had a secret jail in Thailand where it subjected those prisoners to

interrogation techniques deemed illegal under the Geneva Conventions.

But Thai authorities were quick to deny the reports.

Supreme Commander Gen Ruengroj Mahasaranont said the ABC News report was "just fiction" and "exaggerated".

A statement was issued by the Foreign Ministry saying:

"Our investigations with relevant government agencies reveal that there have been no such secret prisons in Thailand."

The air force's Civil Affairs Directorate said foreign agencies had never been allowed to use air force bases for "any secret operations".

Only some official military activities like joint military exercises were allowed, the directorate's statement said.

The air force questioned the credibility of ABC's sources and said members of the Thai media were welcome to visit its airbases to investigate the allegation further.

Journalists accepted this offer and a reporter was given a tour of the Udon Thani airbase, then touted as the most likely site of a CIA torture facility.

The US used airbases at Udon Thani, Nakhon Phanon, Nakhon Ratchasima, U-tapao and a smaller one at Takli in Nakhon Sawan during the Vietnam war.

"There is no fact in the unfounded claims," government spokesman Surapong Suebwonglee said at the time.

Mr Surapong said Bangkok was probably mentioned because it helped catch Hambali, an Indonesian accused of being Osama bin Laden's key link to Southeast Asia, in 2003.

Thailand's security cooperation with the US would have to be done "in an open and legitimate manner", he said.

In the 2005 report, ABC News said Mr Zubaydah was first held in Thailand in an unused warehouse on an active airbase.

It also said that after he recovered from life-threatening wounds, incurred during his arrest, he was made to stand long hours in a cold cell and strapped feet-up to a "water board" until he begged for mercy and began to cooperate.

In "waterboarding", a detainee is strapped to a board, dunked under water and made to believe he might be drowned.

Mr Zubaydah has never been charged and remains at the US-run Guantanamo Bay prison facility in Cuba.

Mr al-Nashiri became the first person to be charged over the bombing of the USS Cole while it was in port in Yemen. He was captured in 2002 and held in secret locations before being transferred to Guantanamo Bay in 2006.

Last month the Obama government dropped those charges but said he remains a "high value" detainee at Guantanamo and there was no prospect of him being released in the foreseeable future.

President Obama said he still plans to close Guantanamo as soon as possible.

Government 'Rush Through' Terror Asset Freezing Legislation



The Government is accused of being "arrogant" as it attempts to rush through legislation to prevent bank accounts to suspected terrorists being unfrozen following a Supreme Court ruling.

Opposition parties said ministers had ignored numerous warnings over the legality of terror asset freezing orders and now had no choice but to introduce an emergency Bill without proper scrutiny. Exchequer Secretary to the Treasury Sarah McCarthy-Fry insisted he orders had been made in "good faith" and the Terrorist Asset-Freezing (Temporary Provisions) Bill was an "urgent temporary measure" to ensure funds were not released to suspects.

"We have published a longer Bill which we intend will have proper scrutiny," she said.

During debate on its timetable, which will see all Commons stages being heard in one evening, Tory

spokesman Mark Hoban said the Government had had "repeated warnings".

And for Liberal Democrats, David Heath said the Government had chosen not to act on a "number of occasions".

In January, the Supreme Court ruled Treasury orders which froze the assets of terror suspects were

unlawful. A panel of seven justices allowed a challenge by five men who had all their assets frozen under orders in 2006.

The Orders were in response to UN Security Council resolutions calling for steps to be taken to hit the financing of international terrorism. But the orders were not voted on in Parliament.

Ms McCarthy-Fry told MPs banks had agreed not to unfreeze the funds in lieu of the Government's introduction of fast-track legislation.

Mr Hoban acknowledged that if the Bill was not in place, suspects could be able to access their finances and use them for terrorist activities.

But he added: "You need to accept that the reason this Bill is being rushed through today is because the Government failed to put in place a proper timetable for proper primary legislation."

"The Government has had plenty of notice about this; there have been repeated warnings to the

Government about the basis on which these orders were issued.

"And actually, rather than rushing through measures this afternoon, the Government could have acted earlier to make sure there was a proper basis in place for the terrorist orders."

Mr Heath said he was "deeply unhappy" that all Commons stages of the Bill needed to be heard in one day.

He said it was a "very seductive" argument as nobody wanted criminals to fund terror operations - but the situation had arisen because of the Government's failings.

"There have been a number of occasions when the procedures which underlie this Bill have been thrown into question, when the Government had the opportunity to act. And it chose not to ... in the context of what it claims is a very urgent requirement to have this in place."

He said other Commonwealth jurisdictions such as Australia and New Zealand had similar orders in place and had asked Parliament for its approval, unlike the British Government, which was "arrogant".

Tory former Cabinet minister Douglas Hogg (Sleaford and N Hykeham) spoke of his "anxiety" over the emergency measures and the "wholly lamentable" approach of ministers.

The court process had been started in 2008, giving

the Government "ample time" to act, he said. But instead it had been "arrogant, uncaring, undemocratic and smug".

Permanent legislation on the terror orders will need to be passed by the end of 2010, when the temporary Bill's powers run out due to a sunset clause. Treasury Chief Secretary Liam Byrne said the Bill was a "stop gap" measure and Parliament will be given a longer time to properly scrutinise the forthcoming legislation. Opening the second reading debate he told MPs that the economics of the terrorist threat were "frighteningly simple".

He said: "The cost of a terrorist attack is low, yet its impact is devastating. "The attacks in London on July 7 2005 cost the perpetrators just £8,000 yet the price paid by the British people was immeasurably greater.

"For this reason we seek to fight back with every appropriate weapon and our weapons must include control of finance, assets and cash." Mr Byrne said around £375,000 in suspected terrorist assets was frozen. "This includes around £150,000 frozen under the secondary legislation in the Terrorism Order; a much smaller figure is frozen under the specific 2006 Act on which the Supreme Court passed judgment," he said. The court's ruling meant there was "something like £16,500 linked to about 14 people which could, suddenly, have been made available," he said.

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First opened in 1855. CNA 1186, Op. Cap. 1445

Category B Local prison. Insig, LP

Area – North West Area

BACKGROUND: HMP Liverpool, locally referred to as Walton Jail, was constructed in 1855 to replace Kirkdale Prison, today it is one of the largest prisons in the country, it has suffered from poor inspection reports and although the latest report in February 2010 (see below) was mixed, there was comments that some areas needed improvement. The prison suffered a walk-out by staff in 2009 and there are still tensions between the (outgoing) Governor and the staff.

KEY OFFICIALS:

Area Manager - Ian Lockwood, CBE
Governing Governor - Alan Brown, OBE
Health Care Manager – Debbie Pudge
Chaplain – Neil Shaw
Senior Probation Officer - Nick Kayani
Education Manager – Ann Allward
IMB Chair – Jim Hall
MP Peter Kilfoyle (L)

REGIME: A multi functional establishment catering for a number of different prisoner groups. The prison now boasts over 900 full time employment spaces along with a detoxification programme, including a Drug Support Unit and a range of offending behaviour programme interventions. Association is in the evening and all prisoners, with the exception of those prisoners on basic regime, have access to evening association.

ACCOMMODATION AND FACILITIES: 8 cell blocks. A Wing – Drug Support Unit. B Wing -Trials and remands First night care and Induction Centre Separation and care Unit. F Wing -Convicted

prisoners, G Wing - Convicted prisoners, H Wing – Detoxification Unit, I Wing -Convicted prisoners, J – Resettlement Unit. K Wing is essentially a Vulnerable Prisoner Unit and Reintegration Unit. The original hospital was demolished and has been replaced by a modern 'in-patient' facility. Health services are now being provided by the Liverpool Primary Care Trust. All prisoners have good access to the 'PIN' phone system. There is a well-motivated MDT Unit, which consistently hits

targets on weekend testing, random testing, frequent testing and suspicion testing. CARAT Services and supporting agencies are well motivated and available to all prisoners. OASys, Sentence Planning, Pasro Courses and a Resettlement Unit, recognised as best practice are available to all prisoners. The Canteen service is operated by DHL by an order form system. The complaint system, application system and racial incident reporting systems are all in place and can be accessed by any prisoner without restriction.

VISITS: How to get there: By train to Liverpool Lime Street then by Merseyrail from Central Station to Rice Lane or Walton Junction, both about 5-minutes walk from the prison. Bus number 68 also runs past the prison. By road: Hornby Road is off the A59 in the suburb of Walton in North Liverpool.

Visiting Times: Legal Weekdays: 09.10 – 11.30 hours. 14.00 – 16.20 hours. Pre-book on 0151 530 4051 and via email on:

LegalVisits.Liverpool@hmpr.gsi.gov.uk.

Social Visits Monday and Friday: 09.05 – 11.30hours, 13.55 –16.25 hours. Tuesday Wednesday and Thursday: 09.05 – 11.30, 13.55 – 16.25 and evening visits 17.45 – 18.45 (convicted enhanced prisoners only evenings) Weekends: Saturday 09.10 – 11.40. 13.50 – 16.15. Sunday 13.50 – 16.15. Pre-book Social visits on 0151 530 4050 or alternatively:

SocialVisits.Liverpool@hmpr.gsi.gov.uk

All visits are for 1 hour maximum in duration. Visits can additionally be booked in person upon visiting the establishment. Notes: Liverpool operates a continuous visits system whereby un-convicted prisoners are entitled to 2 weekday visits and 1 weekend. There is a staffed visitors centre and the following facilities are available: Luggage storing, refreshments, children's play area and nappy

changing. No overnight stay facilities, but plenty of local B&B's. The new visitors centre was opened in early 2002. No items are accepted on visits without prior approval and application by the receiving prisoner.

OFFENDER MANAGEMENT: A dedicated Offender Management Unit has been created which has a team of multidisciplinary staff from a cross section of services specifically ensuring prisoners resettlement and offending behaviour needs are addressed from the moment they are received into custody until such time as they are released, this team of staff also focus on Public Protection issues ensuring critical processes are adhered to.

PROBATION: Probation team of 10, headed by Senior Probation Officer who is the Head of Offender Management and Public Protection. Main focus of probation work is lead in Public Protection and Offender Management. Also, contributing to Accredited Programmes, alongside unified grades.

LEARNING AND SKILLS: The Education Department is staffed by a full time education officer, 3 part time lecturers and 30 sessional teachers. There are a whole range of classes covering Business Studies, Computers, Arts, Maths, English, Welsh, Drama and First Aid and individual learning and in selective skills. These are covered in daytime sessions.

WORKSHOPS: 10 production workshops include tailoring, Timpsons Academy, laundry, leather, wheelchair repair, cycle reclamation (Inside Out Trust) and White Goods Repair Shop in partnership with CREATE. Workshops are open on average 26 hours per week, with the average wage at around £8 per week.

ESTABLISHMENT REPORTS. HMCIP FEBRUARY 2010. Liverpool is one of the largest prisons in the country, with a transitory population. It has in the past been the subject of poor inspection reports, though the last inspection detected considerable improvement. This inspection did not detect noticeable slippage, but nor did it find that progress had been maintained in all areas.

Like many inner-city local prisons, Liverpool worked hard to prevent the entry of drugs, but prisoners still reported them to be too readily available. Connected with this was an underlying problem of violence and bullying, which was not yet being tackled effectively. More than half the prisoners

surveyed said they had felt unsafe at some time. Reception and first night procedures were not working effectively. There was some good care for prisoners at risk of suicide and self-harm, but this was variable and procedures to ensure support needed improvement. On the positive side, the segregation unit was exceptionally well run, and use of force was low and well monitored.

Liverpool was much cleaner and better kept than at earlier inspections, given the age of the buildings. However, as at the last inspection, there were a few cells which were simply unfit for use and should not have been certified. Staff-prisoner relationships in general were affable, though we had concerns about the management and approach on one wing. The general role of residential staff in actively supporting prisoners and tackling inappropriate behaviour was underdeveloped. In spite of some active management of race, black and minority ethnic prisoners continued to have more negative perceptions, as did those prisoners transferred from outside the North West. Other aspects of diversity, such as disability, needed more attention.

The quality of much of the education and some of the workshops was commendable. There was a real attempt to link work to employability. A small but significant number of prisoners were able to train in industry-standard environments that could lead to immediate employment on release. However, there was still insufficient activity for the whole population. Worse, the provision that existed was under-used, with only two-thirds of education places taken up, and prisoners regularly arriving late. This wasted both opportunities and money. There was a significant backlog of prisoners awaiting assessments before being able to engage in activity – yet these assessments did not in the end determine allocation. There was over-allocation to popular workshops, which meant in practice that these men were without activity. We found up to 46% of prisoners locked in their cells during the working day. Time out of cell was also over-reported. Liverpool, along with other prisons in the North West, had been part of the pathfinder that preceded the roll-out of offender management. In the absence of the resources and energy that had accompanied this initiative, current resettlement work appeared to have stalled. The strategy was not based on a current needs analysis, and there was

as yet no effective custody planning for the majority short-sentenced or remanded population. Some aspects of reintegration work – such as accommodation and engagement with employers – were good, but others were not – such as children and families, or interventions to help prisoners progress through sentence. A particularly glaring gap was the absence of effective provision for drug or alcohol treatment, given the prevalence of previous drug and alcohol abuse in the population. This inspection confirmed that Liverpool remained a better prison than it was four years ago, but it also showed that further hoped-for progress had not yet been achieved. Simply maintaining standards in a prison with a transitory population, exacerbated by overcrowding drafts from the West Midlands, is not easy and has required considerable effort.

However, some of the key issues identified at the last inspection had still not been tackled. Some, such as the role and proactivity of residential staff and improvements in safety, need active local management. But others, such as the use of unsuitable accommodation and the need for more activities and interventions, require investment and action from the Director of Offender Management. At a time of shrinking resources, this will not be easy.



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the British security services.

Mr Miliband, branded them "irresponsible" in an unprecedented attack on the judiciary, but three of the country's highest-ranking judges rejected both the minister's accusations and his appeal.

After the hearing Mr Mohamed said that he was relieved to have the issue now out in the open so it could be properly debated once and for all: "It has been cover up after cover up, lie after lie, now the truth is finally out and I can get on with the rest of my life."

consent. "All recent prisoner transfer negotiations have been conducted on that basis.

"The additional protocol to the Council of Europe convention on the transfer of sentenced persons has now been ratified, allowing compulsory transfer arrangements with 34 other countries.

"In addition, we will continue to ensure that, where appropriate, foreign nationals who have committed serious crimes in the UK are deported or removed and that this takes place at the earliest opportunity. "We are currently removing record numbers of time-served foreign criminals."

We were trying and asking but no one came to talk to us about it." Some women did not want to leave the hallway until they had received answers but one tried unsuccessfully to escape through a window and ended up getting injured, she said. The UK Border Agency (UKBA) said staff at the centre were liaising with case workers to resolve the concerns raised by the women. David Wood, strategic director for

criminality and detention, said: "This peaceful protest was resolved last night. Around 40 women at Yarls Wood Immigration Removal Centre were raising issues around their detention and progress of their cases. They returned to their rooms without the need for staff intervention.

"The well-being of detainees is of paramount concern to the UKBA, which is why healthcare staff and independent monitors from the Independent Monitoring Board were at the scene to witness the women's protest. The demonstration remained passive at all times and there was no use of force. The detainees were integrated back into the centre at the earliest opportunity."

Police Widows to Receive £20,000 Extra Cash



Widows of police officers killed while on duty, such as PC Keith Blakelock (left) could be entitled to extra cash of up to £20,000, ministers say. Their surviving partners can receive their pension payouts, but the money stops if

they remarry.

Thousands will be available to those who start a new relationship and then fall on hard times. The scheme will be run by the Police Dependents' Trust, which helps families of officers killed or injured doing their jobs.

Police Minister David Hanson said: "Our brave police officers put their lives on the line on a regular basis to help keep the rest of us safe.

"This scheme will give financial support to families of those who have made the ultimate sacrifice in the service of their nation."

Foreign Nationals Will be Forced to Go Home Without Consent



No foreign prisoners have been forced to return to their home countries to serve out their sentences, a Tory MP has claimed, but Jack Straw said rules on prisoner transfers were being changed to allow them to take place without consent.

At Commons question time, Tory Philip Hollobone said "not one single" foreign prisoner had been sent back against their will.

Mr Hollobone (Kettering) said: "There are 10,000 foreign national prisoners in British jails at the expense of British taxpayers, a massive 13% of the population."

He asked Mr Straw to "confirm that as of this moment not one single foreign national prisoner has compulsorily been returned to his or her country of origin?"

The Justice Secretary told him: "The proportion of foreign national prisoners in prisons in England and Wales is far lower than the European average.

"In most European countries it is around 20% or much higher, particularly in southern European countries.

"We are at the bottom of the league table and I'm glad we are.

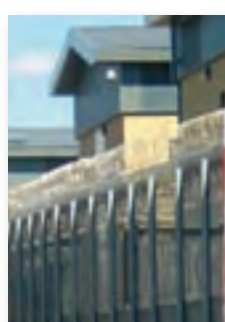
"So far as compulsory repatriation is concerned, you will know that it was the long-standing practice, including of governments you supported, for prisoner transfer arrangements to be subject to the consent of the prisoner.

"We are now changing that and they apply right across Europe."

A Ministry of Justice spokeswoman said: "The Government believes that wherever possible prisoners should serve their sentence in their own country - freeing up prison spaces and saving the taxpayer money on enforced removals.

"We have prisoner transfer agreements with more than 100 countries or territories and have amended the legislation to allow prisoner transfer without

Four Women Arrested At Troubled Yarls Wood IDC



Officers were called to the Yarls Wood Immigration Detention Centre (IDC) in Bedfordshire, where more than 80 women were said to be on hunger strike in protest against their detention and conditions.

Bedfordshire Police

detained four women for offences under the Immigration Act following the disturbance, they said. They were taken to Greyfriars Police Station in Bedford and will be handed over to the UK Border Agency. They have not been arrested or charged with any criminal offences, a spokeswoman said. The remaining detainees were dealt with on site by resident staff, she added. Detainees said a number of protesters were separated from everyone else and kept in a hallway for several hours after asking to speak to officials about why they were being detained.

One detainee, who said she had been held at the centre for three months without her two young children, said 80 or so women spent more than six hours shut in a hallway. The woman, who gave her name only as Aisha, said: "We were taken back to the rooms at 8pm. Nobody came to see us and we didn't get to discuss our concerns.

Miliband Loses Binyam Mohamed Appeal



Foreign Secretary David Miliband has lost his appeal court bid to prevent senior judges disclosing secret information relating to torture allegations in the case of Binyam Mohamed.

The former Guantanamo Bay detainee says he was tortured in Pakistan while held by the CIA, with the knowledge of the British. The allegations claim that Mr Mohamed was subjected to sleep deprivation, was given threats and inducements and was shackled during interviews. His fears of being removed from the US and "disappearing" were also played upon.

Lord Justice Thomas and Mr Justice Lloyd Jones want to disclose summaries of information held by

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“I’d Rather Hire Ex-Cons Than Ex-Soldiers!”

A company boss has provoked public outrage after refusing a request to employ former troops, saying that he would rather recruit ex armed robbers!

Karl Winn, 60, said he would hire ex-drug dealers, convicts and child molesters ahead of ex-military personnel because they had been held accountable for their actions.

His comments were in response to an email from Forces Recruitment Services which helps find jobs for ex-soldiers.

The former social worker, who employs 16 people at his firm Webeurope net design in Taunton, Somerset, said he stood by his ban on hiring anybody in the pay of the British Government.

In a statement, his firm said that emails were exchanged between Mr Winn and Graham Brown, the managing director of Forces Recruitment Services Ltd, on March 5 and 9 as part of the Hire-a-Hero campaign.

The statement said: "In those emails Karl Winn stated that his personal preference would be to offer employment even to ex-offenders rather than British Military personnel because at least the former had been investigated and bought before the courts and held accountable for their actions.

"The reality for the families of their victims is that there will never be any justice and there never will be any closure for the loss of a son, a husband, a child, or a family member who has fallen victim to British Military personnel who are going beyond 'just doing their job'.

"The reality from the north of Ireland, to Afghanistan and Iraq, is that the perpetrators of such atrocities will always be free to get on with their lives, safe in the knowledge that the policy of the British Government is to ensure their protection from prosecution."

Mr Brown told Winn, whose office is near the HQ of 40 Commando, in an email that he was "absolutely



staggered" and that his views "simply beggar belief". Mr Winn said it was "regrettable" that his comments had provoked anger.

"But you also have to look at the anger of the families and bereaved in Afghanistan and Iraq," he said.

He added: "The British military have not been held accountable for the hundreds of killings they have carried out over the years.

"It leaves the families of the bereaved, the women and children, totally without a voice and no closure. I'm absolutely sick of it.

"What I was saying is that at least former criminals have been brought before the court, tried and sentenced and justice has been done - not a single soldier or politician has been charged or tried for the carnage and deaths they have caused in Iraq and Afghanistan."

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>> IN THIS MONTH'S ISSUE



Corrupt London Cop Jailed

A corrupt Cop who passed confidential information about investigations to others has been jailed for 7 months.

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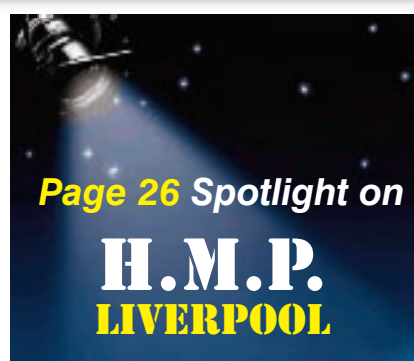
Elmley Officer Jailed for 20 Months

Scott Price, 31, was arrested on August 17 last year when staff were randomly searched when they arrived for work at HMP Elmley on the Isle of Sheppey. **Page 17**



Cocaine Cop Jailed for Three Years

A Met Cop with 25 years service has been jailed for giving information to a drug dealer. **Page 11**



'Steroid Cop' Jailed for 16 months

A Metropolitan Cop has been jailed after admitting dealing steroids and perverting the course of justice.

Page 17



Methedrone Is Not The Problem Claims Police Chief - People Are

A police chief constable has said the deaths of two teenagers thought to have taken a legal high had highlighted a national problem.

Humberside Police Chief Constable Tim Hollis, the Association of Chief Police Officers (ACPO) lead on drugs, said a decision to make mephedrone illegal may be "correct" but it would not solve the problem. But he said banning the drug would send out a "clear message" to young people and give police powers to take action against those possessing and supplying the substance.

Mr Hollis said the national debate over mephedrone had come too late to save the lives of Louis Wainwright, 18, and Nick Smith, 19, who were both found dead after a night out in Scunthorpe.

He said: "The deaths of these two young men highlights a national problem and the clear message is 'Don't take substances which are potentially so dangerous.'"

Mr Hollis added: "Decisions as to whether or not to make mephedrone illegal rests with the Home Secretary, who will act on formal advice from the Advisory Council for the Misuse of Drugs (ACMD). I anticipate that this will be done promptly."

"Making mephedrone illegal may well be the correct decision, it would certainly be understandable in the circumstances but let us be clear - simply making a drug illegal won't make the problem go away."

"Making mephedrone illegal would undoubtedly send out a clear message to young people and suppress the open sale of the drug. That in itself would be a positive step towards reducing harm."

"Likewise, it would give police powers to take action against dealers and those in possession."

Mr Hollis described mephedrone as a "relatively new" legal high but said health professionals had pointed to the devastating effects it could have.

"Clearly it is a social problem which needs tackling robustly," he said.

The police chief said the Humberside force had taken prompt action to identify and arrest those who may have supplied drugs to Mr Wainwright and Mr Smith and that local agencies were working to make information available to other young people who may be at risk.

He said it was important that police and other agencies supported communities in tackling the problem.

Mr Hollis added: "I know that the families of these two victims will want to do all they can to reduce the risk of other families going through this trauma."

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the Swain & Co page

CATEGORISATION: THE PROCEDURE EXPLAINED

CASES WE HAVE WON

Inappropriate dosage of medication. £1.4 million compensation

Failure to diagnose and treat meningitis. Multi-million pound settlement reached.

Failure to diagnose testicular cancer. £150,000 compensation received.

Delay investigating an infection. £7,500 Compensation

Achilles tendon damage not treated. Compensation paid

Mismanaged birth resulting in brain injury. £2.5 million compensation

Failure to recognise bypass complications. £10,000 Compensation

Putting the wrong lens in an eye during a cataract operation. £10,000 Compensation

We proved that medical records had been fiddled. Paid Compensation

Fractures missed by the hospital, including Wrist, Spinal and Shoulder, up to £75,000 Compensation

Wrongly catheterised. £7,500 Compensation

Wrong prescription given. Various awards of £3,000 plus.

We represented the General medical Council to have two GPs struck off.

Dental negligence. £28,000 Compensation

A common prison law issue that appears to be occurring more and more frequently is in relation to the recategorisation of prisoners and the procedure in which the prison are applying it.

In terms of the recategorisation procedure and when this should be carried out, PSO 0900 on Categorisation and Allocation clearly states that "All prisoners, other than those serving less than 12 months, must have their security category reviewed at regular intervals, or whenever there is a significant change in their circumstances..." PSO 0900 further provides at paragraph 1.2.3 that "every prisoner must be placed in the lowest security category consistent with the needs of security and control". The conditions of PSO 0900 are clear. Paragraph 2.2.1 also provides that "the Recategorisation Form (RC1) must be used". Many prisoners are finding that their recategorisation reviews are being dealt with differently and are not being given the correct RC1 paperwork as specified by this prison order. The RC1 form should detail the reasons for whether the recategorisation will be approved or not. In *R v Governor of HMP Latchmere House ex p Jarvis* [1999] EWHC 719 (Admin) the Court held that a failure to follow the mandatory policies may render a recategorisation decision unlawful. Prisoners are becoming more and more aware that their recategorisation reviews are being carried out during a sentence plan review meeting as oppose to being dealt with independently. A recategorisation review is not meant to be considered lightly. By the time a prisoner is eligible for his or her review, staff will know much more about them than when they were first categorised by OCA staff in the local prison. The aim of recategorisation is to use this information to establish whether there has been any clear change in the risk the prisoner poses. More specifically, staff must answer two important questions: (1), is the prisoner more or

less of a risk to the public than when he was first categorised; and (2), is he now more or less likely to escape or abscond. It is not necessary to prove continued or increased risk in both areas to retain the prisoner in his present category or upgrade him. There will be prisoners who pose less risk of escape than they once did, but who present such a serious threat to public safety that we cannot accept even the smallest chance that they will abscond or escape. Having balanced the risk of the prisoner escaping or absconding against the likely risk to the public were they to do so, governors must decide, provisionally, whether the prisoner should remain in his current category, or whether he should be upgraded or downgraded. Where the provisional decision is to retain the current category or to downgrade it the governor must consider whether any control factors point to a different categorisation. For instance there will be some prisoners who, while posing less risk and therefore being eligible for downgrading, may be unsuitable in other ways for transfer to conditions of lesser security. Staff must complete the suitability Assessment at the end of the Recategorisation form, after which the prisoner's new security category can be finally decided.

As this is a detailed and thorough procedure, it appears unrealistic for it to be considered during a sentence plan review, as many prisoners are discovering. It is not sufficient to state that categorisation was considered at the Sentence Plan Review meeting and 'no recommendation' was made. The prisoner is entitled to know the reasons why they have not been recategorised, hence the requirement to use Form RC1. There is also a public law requirement to give reasons for such decisions: *R v Secretary of State for the Home Department ex p Peries* [1997] EWHC 712 (Admin).

To date, we have dealt with numerous prisoners who are not receiving the RC1 form as stated by PSO 0900. These prisoners are therefore unaware

as to why their recategorisation has been refused and are unsure as to what steps they need to take to obtain a lower category in the future. Without reasonable explanation by the prison, how are prisoners supposed to be aware of what areas they need to address to enable them to progress to a lower category?

Another issue which is becoming increasingly common is the length in which some prisoners are waiting for a recategorisation review to take place. As stated that the beginning of this article, a review should take place at regular intervals. It is a well-established principle of public law that where a public body is entrusted with making a decision of importance, such as the recategorisation of a prisoner, there is an implied duty on that body to make the decision timeously and without delay. (*R v HM Treasury ex p Petch* [1990] C.O.D. 19; In *R v Gloucestershire C.C. ex parte P* [1993] C.O.D.303 and *Tan Te Lam v Superintendent of Tai A Chau Detention Centre* [1997] AC 97).

Leaving prisoners waiting 2 years or more for a recategorisation review can have a detrimental affect on their progress through the system. Without the correct procedure being applied, prisoners are increasingly being neglected. They are unable to participate in offending behaviour programmes as their recategorisation review has not detailed what areas they need to address, therefore ensuring that they are well rehabilitated and equipped prior to being reduced to a lower category and further released into society. They cannot address their behaviour if they are not aware of the courses in which they need to undertake or whether they need to address areas of risk, which is why the recategorisation process should be carried out reasonably and lawfully according to PSO 0900. If you have not had a category review recently, or if you have not been provided with adequate reasons for not being recategorised, please contact Swain and Co below.

CURRENT CASES AND CLAIMS

Failure to treat post-operative infection

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Lack of footwear, aids and adjustments generally

Failure to ensure a proper diet on health grounds

Failure to treat burns

Failure to arrange specialist visits, i.e. chiropractor, dentist and optician

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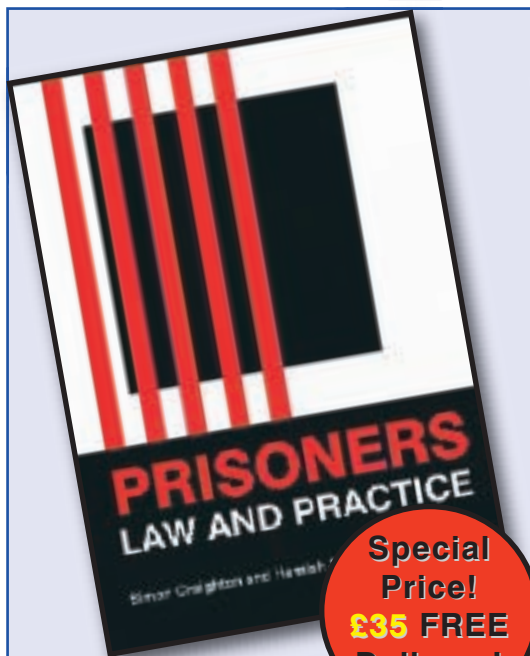


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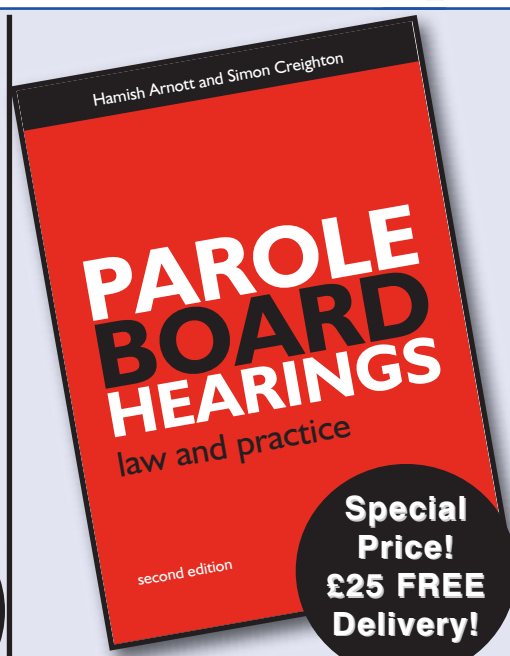


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Prisons Ombudsman Moves to Healthcare



Prisons and Probation Ombudsman, Stephen Shaw CBE, has been appointed as the first chief executive of the Office of the Health Professions Adjudicator (OHPA), the Department of Health has announced.

The chief executive will take forward the important task of establishing this new independent body, which from 2011 will adjudicate on fitness to practise cases brought before it by the General Medical Council (GMC) and the General Optical Council (GOC).

The GMC and GOC will continue their current role regarding doctors, dispensing opticians and optometrists, in setting standards of practice, investigating complaints and deciding whether to refer concerns about a professional's fitness to practise to an OHPA panel for a hearing. This separation will further demonstrate that decisions are fair and effective, separate from the regulators, the professions and Government.

Before the OHPA formally begins its new role in April 2011, its new chief executive will oversee a wide public consultation about its procedural rules to ensure that all stakeholders are able to participate in the development of how it will operate.

Walter Merricks, chair of the OHPA board said: "Stephen Shaw has a distinguished record of achievement in a career of exceptional public service and the board is delighted at his appointment."

"He has experience of heading an important public office in a challenging environment, having built and led senior management teams both in the charitable and public sectors."

"He has operated in a judicial environment as a member of the Parole Board's review committee, and having himself conducted major inquiries."

"Stephen has previous experience of healthcare regulation through his role in conducting fatal incident investigations into deaths in custody which required him to commission clinical reviews involving the GMC."

Stephen Shaw said:

"The establishment of OHPA represents a great opportunity both to enhance public confidence in the health professions and to deliver a lean and consistent adjudicatory process in fitness to practise cases."

"As the inaugural chief executive, I want OHPA to become a learning organisation, with close relationships with our stakeholders, and regularly feeding back to the adjudicatory panels and to the professions we oversee."

"There is a very challenging agenda ahead - not least in the run-up to 1 April next year - but I am looking forward to working with colleagues to establish OHPA as a nationally and internationally recognised centre of excellence." The appointment was made by the Appointments Commission on behalf of the Privy Council. Mr Shaw is expected to take up his appointment in early May.

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Corrupt North London Cop Jailed



PC Kieley Patton

A corrupt female Metropolitan police officer who gave confidential intelligence to a series of people in connection with attempted murder, burglary and a number of drugs cases has been jailed for seven months.

Judge James Wadsworth QC told Pc Kieley Patton her case showed

"how easy it is to get on the path to hell".

She admitted conducting searches of police computer systems over several years from the first month of her job as a constable with the Metropolitan Police. She passed this information on to a series of "badly chosen" boyfriends, their friends and family, London's Southwark Crown Court heard.

Patton, 27, wept in the dock and spent most of the sentencing hearing with her head bowed. She turned to her parents and other family members, who travelled from their homes in Cornwall to see her sentenced, and told them to "be strong" before waving as she was sent down.

The judge told her she was a "very good example of

how easy it is to get on the path to hell". He said her actions were "a serious abuse of other people's privacy", a gross breach of trust and, at least on some occasions, enabled criminals to carry on breaking the law. Sentencing her for three counts of misconduct in public office, the

judge said the punishment must act as a deterrent to others and reflect the "dire consequences" faced by officers who abuse their position. But he conceded that her actions in this case caused no damage to police investigations.

Patton joined the Metropolitan Police in September 2003 and, at the time of her arrest in 2008, was based with the Harlesden Safer Neighbourhoods unit. The judge told her: "Probably from

your very first months in London you used police intelligence computers at least for your own purposes."

Her offending continued until it became "routine" and she carried out searches for her then-boyfriend Solomon Henry, 26, of Grenville Road, Upper Holloway, north London, his friends and family. Henry pleaded guilty to aiding and abetting Patton and was given a 16-week jail sentence, suspended for two years, and 120 hours of unpaid work.

Patton, of Ashburton Triangle, Finchley, north

London, was a "lonely girl, a country girl in the big city, away from the protective arm of her parents and friends," her defence counsel Philip Misner said in mitigation. Mr Misner said she was a woman "who is naive and foolish and largely unsophisticated".

Patton, who is expecting a baby in July, "has either been attracted to, or attracts, the type of men who have used her and indeed discarded her when that use no longer suits them", he said.

He said: "Foolishness rings throughout this case. In her case, remorse is heartfelt, it's honest, it's true. She does not seek in any way, shape or form to minimise her actions." Mr Misner added she had produced a DVD for the police with a "warts-and-all account of

her downfall in order to assist new recruits so they don't fall into the same traps".

Earlier, prosecutor Jane Bewsey told the court Patton was arrested at her home on June 3 2008 and told police in interview that "she had done it because she was asked and because she was stupid".

Miss Bewsey said Patton's crimes began when she started conducting unauthorised searches because she was "curious" and it had "snowballed" from there.

"You are a very good example of how easy it is to get on the path to hell"

Judge James Wadsworth QC

'CS Gas' Cops Could Now be Charged

Prosecutors will decide whether three police officers should be charged over an incident in which a builder in Essex was sprayed with CS gas.

Alan Lethbridge, 28, had the gas squirted in his face at close range after struggling with police in Brentwood High Street. The incident, in which Lethbridge can be seen covered in blood and held against the bonnet of a police car, was caught on camera by an amateur photographer.

Two women, including a 16-year-old girl who was also sprayed with CS gas, were also arrested at the scene. Officials at the Independent Police Complaints Commission (IPCC) have passed the Crown Prosecution Service (CPS) a file on the incident. They interviewed one officer under criminal caution and two officers on misconduct grounds. One officer remains suspended from duty.

Lethbridge, of Romford, was arrested after being thrown out of a pub for allegedly aggressive behaviour at about 9.30pm on September 13 last year. An IPCC spokesman said CCTV footage from the High Street had been viewed and several eyewitnesses interviewed. He said: "The CPS will now decide on any criminal charge."

Scots Police Forces Pay Over £700,000 To Repair Cop Cars After Crashes!



Scottish Police forces have paid out hundreds of thousands of pounds for repairs to hundreds of vehicles following crashes with parked cars, walls and tree branches, it has been revealed.

Of the hundreds of collisions since 2008, only a small minority were during a response to a 999 call and few officers have been reprimanded, fined or suspended, forces across Scotland said.

Northern Constabulary said one officer caused £229 of damage by hitting an overhanging branch while reversing in Inverness in July 2008.

In August 2008 another officer hit a barrier in Inverness, causing a repair bill of £404, and in March this year a car was a "write-off" after leaving the A9 on a bend.

Forces were asked how many vehicles had been damaged in collisions that have not involved other vehicles or other persons since January 2008 and how much the repairs cost.

Strathclyde Police - Scotland's biggest force - said 1,216 police vehicles were damaged by officers in collisions that did not involve other vehicles or other people between January 1, 2008, and January 25 this year. The repairs cost £721,715.48. The main cause for damage to the police vehicles was noted as "collision with an object" and 44 had

their blue lights on at the time.

Nine police vehicles had also been damaged in collisions involving pedestrians during the period.

The force said: "A search of our Professional Standards Department's database was carried out, in relation to the above criteria, which indicated that no police officers had been reprimanded, suspended or fined under misconduct procedures."

A review of accident reports by the force's road traffic unit found 451 people, including police staff, sergeants and inspectors, were to blame or partially to blame for the accidents. Of the 451, 411 received counselling.

The force said its fleet had travelled more than 40 million miles during the period and operated in "diverse terrains".

Tayside Police said "reversing incidents" was the most common reason given for 133 collisions which didn't involve another vehicle or person between January 1, 2008, and to January 23 this year.

The collisions cost the force £35,946.71, which included any repairs to vehicles and any repairs to property damaged.

The force also spent £4,663.42 on repairs to police vehicles after 23 collisions with parked cars during the period.

Tayside Police said no officers faced formal disciplinary proceedings.

A spokeswoman said: "Sixteen of the incidents

referred to involved vehicles on 'response' and four involved vehicles on 'pursuit'.

"Each incident is subject to a review process which may result in counselling or re-training being instigated if this is considered appropriate in the circumstances."

Lothian and Borders Police damaged 167 vehicles, including 65 vans and four motorbikes, between January 2008 and January 27 this year, with the main cause for damage recorded as hitting "still objects".

In its response, the force said 16 of the collisions were during a response to a 999 call and there were also four police vehicles damaged in collisions with pedestrians.

The incidents cost £86,168.86 for repairs, third-party vehicle repairs and third-party injury costs.

A spokeswoman for the force said: "All collisions

involving police personnel are reviewed by an Accident Board; however, no disciplinary action was taken against any officers involved in the above incidents."

Dumfries and Galloway Constabulary said 27 vehicles

were damaged during the period at a cost of £18,581.

The force said: "The vehicles involved were 15 marked vans, seven marked cars and five unmarked cars."



"None of the collisions occurred while responding to a 999 emergency call or during a pursuit. The majority of these collisions occurred during manoeuvring in police yards."

Out of the damages, two collisions involved a marked vehicle colliding with parked vehicles. None of the collisions involved pedestrians and no officers were reprimanded, suspended or fined. Fife Police said it paid £86,128.98 for 112 damaged vehicles. The most frequent reason for the damage was given as collisions with parked unattended vehicles - in 39 of the cases.

The force said: "Of these, six were during a response to a 999 call or during the pursuit of a suspect."

"Of those officers involved, one constable was convicted of careless driving and was penalised with a fine and an endorsement on his licence."

Northern Constabulary said: "Northern Constabulary has rigorous reporting procedures that require all incidents where officers have been involved in vehicle accident/incidents to be reviewed and action taken as necessary."

The information was revealed following Freedom of Information requests by the Press Association.



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Multiple Taser Cops Acted “Lawfully & Proportionately”



An independent inquiry conducted after police repeatedly fired a stun gun at a man during a night out found officers acted "lawfully and proportionately", it has been announced.

Mobile phone footage of the incident showing a Taser gun being used several times by a police officer was posted on YouTube afterwards.

Police watchdog commissioner Amerdeep Somal said some of it appeared to show officers being "over-zealous" in their efforts to arrest the man for being drunk and disorderly.

But Ms Somal, of the Independent Police Complaints Commission (IPCC), added: "The overall evidence suggests that it was necessary for the officer to activate his Taser several times due to the continued and escalating resistance being demonstrated."

The IPCC published the outcome of its investigation into the arrest of the man in Nottingham city centre in June last year.

It said in a statement: "An independent investigation conducted by the IPCC has found, based on all the available evidence, that the actions of police officers in the circumstances were lawful and proportionate."

"The investigation concludes there is no evidence of any criminal offence being committed by police officers

and no grounds for bringing misconduct proceedings."

Before his arrest on June 15 2009, the man was at Foxy's nightclub in Upper Parliament Street when door staff called officers to deal with what police described as an "an aggressive customer".

Nottinghamshire Police officers tried to arrest the man but he resisted and a violent struggle ensued.

During the struggle an officer received a puncture wound and swelling to his leg - later diagnosed as a human bite mark - and bruising to the face, the IPCC said.

The police officer used his Taser gun twice to attempt to incapacitate the man, but with little effect.

The gun delivers a 50,000-volt electric shock through two darts which are on the end of 21ft-long wires.

The man broke free and was chased by police along Upper Parliament Street.

An officer caught up with him and again used a Taser, which brought him to the ground.

Two other officers joined in and a further struggle ensued with police still unable to handcuff him, the IPCC said.

Before he was finally handcuffed, he was again shot with a Taser and an officer was seen to strike out three times in an attempt to remove the man's grip on his arm, the IPCC statement said.

During the two-minute YouTube video, the man is seen to roll on the ground in agony after being shot with the Taser.

He sustained grazing to parts of his body and Taser injuries to his back.

Ms Somal said that while the public interest in the incident was understandable, the officers' actions had been in accordance with police guidance and policy. She added: "Officers have a right to protect themselves and deal robustly with unruly behaviour while policing a busy city centre at night."

"Our investigation found those were exactly the motivations for their actions that morning."

Guidelines issued to police forces state that Tasers

"must not be used to inflict severe pain or suffering in the performance of official duties".

Amnesty International UK said it believed Tasers should be drawn rarely and by a limited number of highly trained officers.

Arms programme director Oliver Sprague said: "The IPCC's decision that the police officers were acting proportionately appears to be primarily based on existing police guidelines."

"However, current policing guidelines do not specify clearly that these weapons should be used only when there is a genuine threat to life or very serious injury."

"This, in our view, leaves the risk that the Taser may be used when officers are presented with far less threatening situations."

Senior Cop Nicked On Fraud Sus

A senior Thames Valley police officer has been arrested on suspicion of insurance fraud after his car was allegedly set alight.

Chief Superintendent Jim Trotman, Thames Valley Police's head of strategic development, was suspended from duty following the arrest.

A Thames Valley Police spokeswoman said the officer was also suspected of misconduct in a public office and perverting the course of justice.

She added: "The arrest was made by officers from the force's Professional Standards Department after an investigation into an allegation of arson and associated insurance claim."

Mr Trotman, former police commander for the city of Oxford, was released on bail until April 8 after last month's arrest.

The former Royal Marine, who joined Thames Valley Police in 1992, served in Northern Ireland and Iraq, according to the force's website.

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the 1 Pump Court page

Prison Law Barristers Working For You

Message from Stephen Field



Apart from the cold weather, I am reliably informed that it is now Spring! During the first couple of months of this year I have been involved in a number of important cases. I have advised on appeals against sentence for IPP Prisoners, frustrated at the lack of progress being made on their sentences. A test case by a Prisoner who complained about the lack of consultation with Prisoners regarding changes to the legal advice and representation scheme concluded with the Legal Services Commission assuring Prisoners that they will be properly consulted before any further changes are made to Prisoners' access to solicitors and barristers. I am still arguing in two live cases in the High Court that released Prisoners seem to be too readily recalled in cases involving determinate and extended sentence Prisoners. I am also challenging the use of PCL-R tests and the whole DSPD regime. That still leaves time for claims regarding Prisoner ID cards, overly strict licence conditions and poor sentence planning amongst others, as well as setting up a specialist Prison Law website. I am still trying to "do something about it" and thank you all for your efforts to do the same. Do keep your letters coming to myself and the team.



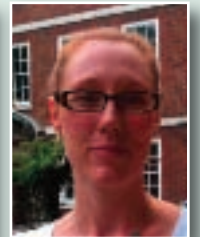
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*Barristers who can accept instructions directly are: Stephen Field, Ajanta Kaza, Daniel Kingsley, Sam Parham and Terry Pedro.

LATEST RESULTS

*• R (on the application of B) v The Governor HMP Albany *
A Prisoner (B) suffered from a particular medical condition which gave rise to individual dietary needs. B was unhappy with the way the Prison failed to provide him with meals appropriate to his medical and dietary needs. He issued judicial review proceedings and at a hearing seeking relief against the Governor, the Secretary of State undertook that in future he would comply with his requirement to provide B with appropriate meals.

*• R (on the application of O) v Secretary of state for Justice, Probation Service and Parole Board *
A Prisoner (O) was recalled to prison for allegedly assaulting his partner. His partner did not substantiate the allegation and O applied to the parole board for release. The Parole Board refused to recommend his release. It based its decision upon disputed facts yet refused to order an oral hearing. The Administrative Court in Leeds quashed the Parole Board's decision refusing to recommend O's release.

- *• R (on the application of J) v Parole Board - *Challenge to Parole Board's acceptance of a released Prisoner's arrest but no charge as reason to recall.
- *• R (on the application of S) v HMP and Secretary of State* - Challenge to the use of PCL-R and DSPD.
- *• R (on the application of P) v Legal Services Commission* - Challenge regarding the failure of the LSC to consult with Prisoners regarding the provision of legal services...to Prisoners).

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If the Prison Law Team are doing their jobs properly, they are simply not available to take telephone calls from prisoners during normal working hours (which inevitably involve early starts, late finishes and travelling time). Whilst Fran Springfield (our dedicated Prison Law Team Coordinator) and the clerks (Ian, Sian, Mycal and Johnny) do their best, we do not have a huge administrative support structure within the Prison Law Team, and the phone lines are open **Tues, Wed & Thurs between 3.30 p.m. to 5 p.m.** during which time a rota will be in place to take essential calls.

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HMP

Do not worry if you do not complete all the questions fully, further instructions can be given in due course.

In your own words, what is the general nature of your complaint/query?

What do you realistically want to achieve in relation to your complaint/query (insofar as the law can assist)

Solicitor currently instructed in relation to this matter (if any) and/or your preferred solicitor if a solicitor also needs to be instructed:

Name of solicitor:

Address.....

Alternatively, I do not have a solicitor and would like you to suggest a solicitor should it be desirable to instruct a solicitor and barrister. I give my consent for you to speak with my past, current or future prospective solicitor about my case.

Signed

Date

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High Court Rules NOMS Acted Unlawfully Over Foreign Nationals



Prison authorities failed to pay due regard to equal treatment laws when introducing a policy change for foreign national prisoners, the High Court has ruled.

The decision was a victory for the Equality and Human Rights Commission (EHRC) in the first case of its kind.

The Commission challenged Justice Secretary Jack Straw over the implementation of a scheme for transferring foreign inmates to named prisons. Commission lawyers argued that, before implementation, there had been a failure to consider the impact of transfers on disabled or ethnic minority prisoners.

Mr Justice Wyn Williams, sitting in London, ruled the Commission was entitled to a declaration that the Justice Secretary and the National Offender Management Service (NOMS) "did not have due

regard" to race and disability laws.

Later Kay Carberry, Commissioner for the EHRC, welcomed the ruling.

She said: "The sentences for committing crimes must be served, but there should not be a two-tiered system where disabled and ethnic minority foreign national prisoners face greater disadvantage and less access to rehabilitation programmes and supports than other prisoners."

The case arose after NOMS and the UK Border Agency concluded a service level agreement (SLA) in May 2009 to achieve the "effective management and speedy removal" of foreign national prisoners. The SLA contained a number of provisions relating to the treatment of foreign inmates in the system.

This included transferring them to several named prisons including Dartmoor (left); Guys Marsh, Dorset; and Verne, on the Isle of Portland, off the

Dorset coast. The judge said the principal issue for the court was whether NOMS had "due regard" to the requirements of provisions of the 1976 Race Relations Act and the Disability Discrimination Act. The judge said he understood no document had come into existence expressly referring to those requirements at the date the SLA was concluded. He ruled that, "on balance of probabilities", NOMS did not have due regard to its statutory duties before adopting the SLA - "no formal impact assessments of any kind were undertaken". The judge said: "The reason advanced for the failure to undertake equality impact assessments is unconvincing."

"No detailed evidence has been put forward to demonstrate why it was that time did not permit such assessments to be undertaken."

But the judge accepted that retrospective assessments undertaken after the Commission launched its application for judicial review were lawful.

Later Ms Carberry said on behalf of the Commission: "The prison service, as with all public authorities, is required by law to be proactive in its approach and to undertake equality impact assessments in advance of policies being implemented."

Royal Marine Freed to Fight

A "dedicated" Royal Marine from York can be deployed to Afghanistan next month after appeal

judges freed him from a prison sentence imposed over a drunken nightclub attack.

Matthew Sowerby, 20, who was jailed for 10 months in February after admitting an offence of unlawful wounding, was in the dock of the Court of Appeal in London to hear three judges quash his custodial sentence.

Instead, they imposed a community punishment order with an unpaid work requirement of 150 hours and also ordered Sowerby, of Tadcaster Road, to pay his victim £1,500 compensation.

The original jail sentence was handed down by a judge at York Crown Court after an incident at a nightclub in the city in November last year.

Sowerby threw his drink at the manager in the Reflex bar, but the glass accidentally slipped out of his hand and hit innocent bystander Sarah Cartwright. Ms Cartwright, who was serving behind the bar, suffered cuts to her face.

Mrs Justice Sharp, who gave the court's ruling on the sentence challenge, said that before the incident Sowerby was of "positive, exemplary character".

There were "glowing" references from his commanding officer and others "attesting to his dedication and skill".

Sowerby, who was "deeply remorseful", had immediately admitted what he had done and apologised. His conduct on that occasion, added the judge, was "wholly out of character".

The court said that "on the very special facts of this case", it could interfere with the sentence.

"We have come to the conclusion that in this case it is appropriate to quash the sentence of imprisonment," she concluded.

A spokesman for the Ministry of Defence said: "Marine Sowerby will now rejoin his unit which is due to deploy to Afghanistan in the near future, we wish him well."

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Sex Cop Walks Free

A police officer has walked free from court after he admitted engaging in sexual activity with a victim of domestic violence of south-east London who he was sent to help.

Pc James Formby, 31, was given a 20-week sentence, suspended for two years, after he admitted misconduct in a public office.

Judge Nicholas Loraine-Smith told Formby the incident in Bromley, in the early hours of September 19 last year, "inevitably means the end of your police career".

The judge told Southwark Crown Court in London the 33-year-old woman, who had been drinking and had taken the legal drug BZP, was clearly "vulnerable". "Your duty as a police officer was to treat her professionally," he told

Formby. Michael Mulkerrins, prosecuting, told the court Formby, an officer with the Metropolitan Police, was one of at least four officers who attended the victim's house following a report of domestic abuse. While other officers took the woman's boyfriend away, Formby remained in the house with the woman to take her statement.

But the pair began flirting and he told her she looked "sexy" in tight grey leggings

and commented how she would look nice in high heels. Her boyfriend's collection of various uniforms used in his job as a male stripper were on the floor in the living room, which "heightened the sexual tension

between them", Mr Mulkerrins said. Formby also walked in on the woman while she was in the bathroom, the court heard. She then returned to the living room before inviting Formby to her bedroom and began kissing him. She then engaged in the sex act, the court heard.

But Formby was caught when the woman rang police a few hours later to ask about her boyfriend's arrest and mentioned the

sex act to police. The link between the two was confirmed when Formby sent her a text saying: "That was nice. Shall we do that again?"

In mitigation, Richard Atchley said Formby "realises he's been very foolish and he could have, and should have, left the house".

Formby was also ordered to pay £1,000 costs and must carry out 200 hours of unpaid work.



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the Lawrences page

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Helen Harris, Diary of a prison lawyer...

Many of those reading this excellent newspaper will know the importance of having a prison lawyer. You all know what happens in the hour or so that we spend with you but what about the rest of the time? Where are we when we can't take your phone calls? This is my diary...

Monday - Not a bad start to the week, I love Monday visits in Wellingborough. It means I get a lie in!!! It's close to the office and visits start at 9:15, makes a lovely change from the long distances that we normally travel. Let's hope it means that this is going to be a good week.

Tuesday - Perhaps yesterday was a good omen; our new higher rights advocate Paul Orton (see below) was in the Court of Appeal today for an appeal against sentence. We won - excellent result. It really makes everyone in the office happy when we get a good result.

Wednesday - WOW! 7 hours in the segregation block! I think that if I ever got in trouble, I'd get time off for good behaviour! On the plus side we won the adjudication. It was a bit annoying because the client was a lifer and therefore days could not be added - although we did have a lovely conversation with the Judge about IPPs being allowed days added according to the new judgement. On the plus side we won the adjudication so it was all worthwhile.

The possession argument is always an interesting one - proving that there is a lack of knowledge is always fun but it worked on this occasion so that's all that matters. When the client arrived back from a hospital appointment the week before, his cell door was unlocked, it had been unlocked when he had left.

Thursday - Fantastic, the extended license recall hearing I did last week has come back. We won; he's getting out next month. It was a tricky one - 3 hour hearing. So much to talk about I suppose but at least it was successful. I'm really glad that I had spent so much time with the guy beforehand. I saw him 3 times in the run up to the hearing. It's the only way really. The more time you spend with someone the better you can argue on their behalf.

We had been through the dossier, we knew all of the evidence that was in front of us and we were fairly sure of what was going to be thrown at us. It takes time but that's about providing the best service and being able to fight.

Friday - Usually my office day, the day that I try to be around to answer the phone. Today I have an IPP Parole hearing so that won't be happening as much today.

Monday - Early start, down to Coldingley. I'm lucky that I have a driver really. It means that on journeys like this I can get loads of work done and write

representations that are due on my laptop. It's like an office away from the office in the back of the car but with an ever changing view - even if it is usually of a motorway!

Tuesday - Mandatory life parole hearing today. Not a client that I've had for long so I've only met with him 3 times. We have worked hard together though so I know that there is nothing more that we can do. An afternoon in the office, quite a novelty. Just as well really, have to do the application for a tender so that we can practice come the change in funding. Have to remember an example of specific areas of prison law from the last 12 months so that I can prove I've done it. Now it's done we can forget about it and I can get on with what I do best - prison law.

Wednesday - PAPERWORK!! Judicial reviews may well, on occasion be the only option left but boy is there some serious paperwork to do! One copy here, one copy there. Don't get me wrong, I have no problem in doing it and it really is important. I actually quite enjoy it as when they are a very good way of showing that those in authority cannot just get away with treating prisoners how they want. Decisions have to be valid and justifiable and if they are not then they have to be challenged. We are really lucky here though as we have a couple of very good barristers that we can turn to for good advice.

Thursday - Sometimes, things are so frustrating in prison law. All the work is done and then someone at an outside organisation does not put it with the right file and the representations still do not get considered. A few more phone calls and hurried faxes and it's sorted but at least I'm there to do it. What if the guy didn't have someone on the outside to help? Must remember to ring Annette on the way back from the visit this afternoon - thank goodness for mobile phones!

Friday - In the office. Brilliant, today I can talk to my clients and plan the diary for the next week to try and keep things ticking over. I do like being able to speak to my clients but it really is so difficult at times.

Saturday - I've come into the office to try and get all the letters sent out about when visits are so that people know when Annette and me are going to see them. Hopefully a couple of hours and it will be done. Then I can get a bit more work done so that I can keep up to date.

Monday - Last meeting with my client before his Parole hearing. An hour and a half to explain what to expect and to go through the last minute paperwork that has been received.

We can go through all of the questions that I am going to ask so that there are no surprises. Many boards seem to be opening with questioning the client themselves first but having read the dossier and knowing the temperament of panels means that we can fairly accurately guess what they are going to question about.

Tuesday - Must write representations today for an internal adjudication. We have been denied attendance under Tarrant but I will send a copy to the client and to the Governor of the defence that I have formulated, it's the closest that we can get to representations on occasions like this.

Wednesday - Visit to Woodhill this afternoon. It always takes so long to get into there, have to add an hour onto your appointment time! High security prisons are like that for a reason though. It's part of the job and that's just the way it is.

My client is due for his recategorisation hearing this month. Hopefully we can get him to a B cat prison. All the courses that he can do are done and he has an impeccable prison record. If it counts for anything, I believe that he should be moved - shame that's not evidence that can be considered!!

Thursday - The M1 first thing in the morning! When I started doing this job I really began to appreciate what was meant by a motorway being more like a car park. Why did he have to get recalled to The Mount? Oh well, hopefully we can convince The Mount to move him closer to home or the Board to release him. I know which one he'd prefer but if we work on both then we have a better chance.

It's a breach of that infamous 'to be well behaved' clause. OK so he was arrested but no further action was taken so we'll have to make the relevant submissions.

Friday - Office day. Prison law meeting today I think. It's great to see how things are going. Sally has had some brilliant results that I want to hear about and I haven't seen Annette more than in passing for over a week.

Monday - Wellingborough, brilliant. Instructions on recall for one client and adjudications for the other. Looks like adjudication day in Wellingborough could be busy, that's 3 so far. Might need to do some research on this one, adulterated sample. What can the body produce? I do like cases like these that stretch you. I'll see what comes of it.

Woodhill again this afternoon - must make sure I leave on time.

Tuesday - Two days in a row at Woodhill. New client to see, he wants help with his HDC application. Given the information that he has provided I think that he has a good shot. You never know how the Governor is going to view the information but if he stays nicking free I think he has a very good chance. I do hope so.

Wednesday - Annette has gone up to Full Sutton today. She's staying overnight so that she can see 8 people in 2 days. It saves on travel and she'll be able to get the work done on the files between the visits so that should be good.

I'm taking new instructions on an IPP, only his second conviction and he's got an IPP. Seems like a nice chap, he's certainly worked hard and has managed to get on the courses that he needed. He's only got one left to do. That's very lucky and gives him a good shot. It's always such a shame when people have tried really hard to get onto courses and there isn't the time or space for them. Of course there are things that can be done but sometimes the information just comes along too late. This case doesn't look like one of those.

Woodhill again this afternoon - 3 days in a row - think I might move in!

Thursday - Drake Hall, not been here before. There aren't many that I haven't been to. It's weird but going to new prisons is still a bit daunting sometimes. The ones I go to regularly are like an office away from the office and you know what to expect - if you are allowed a scarf, if lockers are available, if there is a toilet! New ones are a learning curve. Mind, it is the unpredictable and ever changing nature of prison law that makes it so enjoyable so I am not one to complain.

Friday - Annette is off out at an adjudication in Moorland today. We spoke this morning and she's got a tough one on her hands.

Great result on a guilty plea, 7 added days for an item in possession. Must have been

good mitigation given the circumstances.

Well, that's another month gone. Hopefully we can get some more new cases and some more great results next month. I look forward to meeting new people and making new progress. Here's hoping.

Helen Harris, Prison Law Department Manager, Lawrences Solicitors.



GROUND-BREAKING APPEAL CASE!

Lawrences continued their successful run of appeals with a ground breaking appeal against sentence, which resulted in our client having his 10 month custodial sentence being replaced with 40 hours unpaid work and immediate release..

The appellant was sentenced for theft from employer, in Northampton Crown Court, following a guilty plea. He was employed as a mid-level manager in a popular national supermarket chain. Unfortunately he began to remove cash and goods from the store to fuel His gambling habit. He was finally caught red handed, having stolen almost £10,000.

He had never been in trouble before and instructed a local firm, not us by the way. He pleaded guilty. The Judge confirmed that theft by an employee in a position of trust must receive a custodial sentence and as a manager it must be of some length. After receiving his 10 month sentence, he was told by his Barrister that he had a great result. His solicitors advised against appealing. Thankfully he called us. He saw our advert in Converse and wrote to Helen, who in turn referred the case to Paul Orton, above. Paul, a very accomplished Barrister for over 20 years, only joined us at the beginning of the year and has already made an impression in the local courts as an aggressive champion for his clients. Paul reviewed the case and agreed with Helen that a sentence of almost a year was excessive. He prepared the appeal which was lodged without delay.

Shortly after Paul and the client were in the Court of Appeal, just off The Strand in London. They listened as the senior Judges commented on the validity of Paul's arguments and representations. They said that it was not always necessary for a prison sentence to be given to an employee who had stolen from their employer. Moreover, that in this case it was wholly inappropriate that a prison sentence was given at all and instead wished to impose a penalty that would result in immediate release. Paul suggested unpaid work as then his client would not have a custodial sentence recorded against him. Previously, guidelines suggested that any theft by an employee would attract a custodial sentence and the best you could hope for would be to suspend the sentence. Now we have direction from the Court of Appeal that it is not appropriate to imprison a person of previous good character who has stolen from their employer, even if they hold a position of trust and responsibility.

The issue was not that it was only under £10,000, or that he had no convictions, or that he was addicted to gambling but simply that theft by an employee did not automatically justify custody, even a manager in a position of trust and responsibility. Obviously our client was very happy and he can now get back on with life in the comfort of his own family. We will tell you more regarding this landmark case once we have got a copy of the judgement.

In the meantime, if you are serving for an offence of theft, bear this case in mind. If you want us to help, get in touch with us and we will get on with your case straight away. We have a specific team just to deal with appeals either against conviction, sentence or both, from the Magistrates, the Crown or the Court of Appeal. We will always give you no nonsense, honest, specialist advice and fight your case whatever the circumstances.

Met Police Faces Corruption Review After Dizaei Conviction



Scotland Yard faces a review of its work to root out corruption in the wake of the conviction of Ali Dizaei.

Kit Malthouse, of the Metropolitan Police Authority (MPA), said the time is right for a fresh look at how the force tackles criminal behaviour among its staff. Speaking at City Hall, the Tory politician said more could be done to structure the Metropolitan Police to discourage dishonesty.

Mr Malthouse said a series of high-profile cases have highlighted the need for constant vigilance. He said: "I do think one of the pieces of work we might look at over the next year is scrutiny of the structures in the Metropolitan Police for tackling and dealing with corruption and fraud.

"We might look at the last time we looked at structures and effectiveness of what they do and whether that is still fit for purpose."

He added: "I think so far our emphasis has been too much on trying to catch people and not on structuring the organisation so it is less likely to happen."

Commander Dizaei, 47, is serving a four-year sentence after being convicted of assaulting and falsely arresting a young businessman before trying to fit him up. A second officer, field intelligence officer Pc Mark Bohannon, was convicted of leaking secrets to a drug dealer in return for cocaine - see next page.

Mr Malthouse was speaking at a meeting to scrutinise his appointment as chairman of the MPA,

the London force's board of governors.

He was proposed for the job after London Mayor Boris Johnson stood down despite his manifesto pledge to lead oversight of the police.

Mr Malthouse said he would like to see some of the functions of the MPA replaced by a "police board" installed by Mr Johnson as well as the London Assembly.

He said the current arrangement was "structurally conflicted" handing members scrutiny and executive powers.

The politician said the Conservative party is looking at different ways of controlling police forces but no decisions have been made.

Mr Malthouse, a chartered accountant who once said Sir Ian Blair's successor should be "pretty boring", said the MPA must get better at examining budget books.

He said: "I would personally like to see more accountants on the police authority. It might not lead to more excitement but it might lead to more efficient regulation."

Liberal Democrat Dee Dooney said the police board would be an "unelected quango" staffed by "friends of the Mayor".

Jenny Jones, who sat on the City Hall panel, said the Directorate of Professional Standards, which is responsible for combating corruption, has not escaped recent cuts. Speaking about the appointment of Mr Malthouse, Ms Jones said: "He performed well, but there are concerns about any person being able to handle so many jobs, when one of the jobs is as complex as

overseeing the Met. "I had hoped he would have done a bit more thinking about how to find and deal with Met corruption, especially as he and the mayor have just cut back on the very Met staff who could look into the issue."

In another twist to the story newspapers have reported that Dizaei had been assaulted while in prison in Suffolk.

The senior Metropolitan Police officer was serving a four-year jail sentence at HMP Edmunds Hill when another inmate poured a slop bucket over Dizaei's head the Daily Mirror reported, and the former police officer was then punched in the face and knocked out.

The newspaper said he was only moved to the prison days before amid fears for his safety, and was later placed in segregation..

A Ministry of Justice spokeswoman said: "A prisoner at Edmunds Hill was assaulted. Staff intervened and he was moved to a place of safety."

Mark Leech the editor of Converse said of the attack: "Its just not acceptable.

"Whatever people were before they came to jail, whether police or prison officers, attacking them is

not acceptable, once they are prisoners they are entitled to be treated in the same way as anyone else, with humanity and in a regime of safety."

Dizaei could be officially sacked within weeks.

The head of Scotland Yard has admitted that many people would be surprised that Dizaei remains a police officer despite sitting in a prison cell.

Commissioner Sir Paul Stephenson said members of the public may find it "odd" the disgraced officer has yet to be kicked out of the force.

Dizaei, 47, is waiting for the outcome of a "fast-

track" disciplinary process by the watchdog Metropolitan Police Authority (MPA).

Speaking at New Scotland Yard, Sir Paul suggested the incongruous situation could raise further questions over how senior officers are disciplined.

He said: "I am not looking to blame the MPA for this, it is their procedure but their procedure is governed by national regulations. Members of the public would find it somewhat odd that a man convicted of an offence and sits in a prison cell still holds the office of constable.

"He is not going to be able to effect that office, one hopes, but the public would find that odd.

"It is part of national regulations and those regulations have to be followed. There might be a case for looking again at those regulations."

Sir Paul's comments came amid a debate on whether he should be given more powers to hire and fire his top team.

Earlier former Met boss Lord Imbert said handing the top officer the ability to complete his top team would improve accountability.

Speaking about the decision to promote Dizaei to commander in 2008, Sir Paul said "hindsight is a wonderful thing".

He played down a suggestion that the conviction of Dizaei, once a prominent member of the Black Police Authority, could be divisive among minority officers.

Sir Paul said: "Dizaei is not diversity. The progress the Met has genuinely made has been impressive. But I have said it time and time again, there is more left to do.

"The business case for ensuring this organisation gives confidence to all our communities that it is somewhere they want to come and work is obvious."

Dizaei was jailed for four years for perverting the course of justice and misconduct in a public office on February 8.

Southwark Crown Court heard he assaulted and falsely arrested an Iraqi web designer in a row over a £600 payment for a website.

The officer, who was west link commander and responsible for policing in 10 London boroughs, then attempted to frame his victim by claiming he stabbed him.

Speaking about his reaction on hearing Dizaei was guilty, Sir Paul said there was nothing to celebrate. He said: "I am hugely disappointed anyone of that rank would behave in that manner. The idea that champagne corks were popping in the Yard was completely fatuous."

Sir Paul added: "Dizaei brought disgrace to himself, the police service and the Metropolitan Police. His criminal behaviour, disgraceful behaviour, is quite shocking."

See Cocaine Cop - next page.

"I am hugely disappointed anyone of that rank would behave in that manner. The idea that champagne corks were popping in the Yard was completely fatuous. Dizaei brought disgrace to himself, the police service and the Metropolitan Police. His criminal behaviour, disgraceful behaviour, is quite shocking."

Met Police Chief Sir Paul Stephenson

10 Cops Probed Over Abuse Inquiry

Ten police officers are under investigation for the way they handled the case of a mother and her disabled daughter who were found dead in a burnt-out car after years of abuse from youths in Leicestershire, a watchdog said.

Police were contacted 33 times in 10 years about yobs bullying Fiona Pilkington and her 18-year-old daughter, Francecca Hardwick, in the street where they lived in Barwell.

An inquest last September found that, despite repeated pleas for help, 38-year-old Ms Pilkington received only eight visits from police officers.

She was found dead alongside her daughter in her burnt-out car, which was parked in a lay-by on the A47 in nearby Earl Shilton in October 2007.

Following the inquest, the Independent Police Complaints Commission said it would look into the way Leicestershire Constabulary dealt with the

family's complaints in the years before their deaths. On Tuesday, the IPCC said police and council officials had so far "co-operated fully" with its investigation.

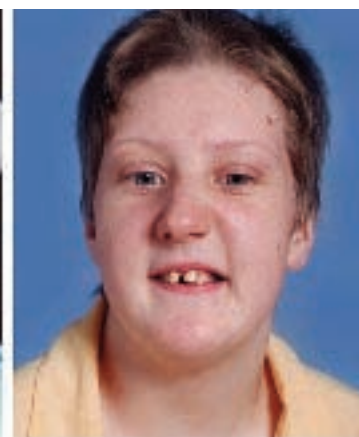
The statement added: "We have now served advisory notices on a total of 10 Leicestershire Police officers and this situation is being kept under review. Such notices are not judgmental in any way, but are required under police misconduct regulations, and served on officers to advise that their conduct is under investigation."

It added: "This complex inquiry is going back over police contact with Fiona Pilkington, her daughter and neighbours over a period of several years. We are progressing this rigorous investigation as swiftly as possible and will make our findings public in due course."

A jury at the inquest into the deaths ruled police

officers and council officials failed to properly share information. The police also failed to offer Fiona Pilkington and her daughter sufficient protection. These failings contributed to their deaths, the jury ruled.

Ms Pilkington, her daughter and her severely dyslexic son Anthony, 19, suffered years of torment from a gang of up to 16 yobs, some as young as 10. Her family's ordeal included stones, eggs and flour being thrown at their home, while the mob once shouted at Francecca, who had the mental



age of a four-year-old, to lift up her night-dress. On another occasion, Anthony was marched to a shed at knifepoint and locked in by the gang.

"Cocaine Cop" Jailed for 3 Years



A corrupt police officer has been jailed for three years after being convicted of being at the very

centre of an "extremely dangerous conspiracy". Pc Mark Bohannon, who had 25 years' experience, passed confidential information to his cocaine-taking wife Denise and her drug dealer in return for free drugs and money over a period of six years. Judge Nicholas Loraine-Smith told Southwark Crown Court in London Bohannon's actions enabled the dealer to boast he had "a corrupt police officer on the end of the line".

The 47-year-old officer, who worked with the Metropolitan Police Territorial Support Group, was found guilty of conspiracy to commit misconduct in a public office last month.

He has since been dismissed from the force.

Bohannon's wife Denise, who lives with him in Chapel Road, Bexleyheath, was jailed for 18 months after also being found guilty of conspiracy to commit misconduct in a public office.

Referring to Mark Bohannon, the judge said: "It seems to me that he did what he thought his wife wanted him to do. I've no doubt he would have preferred his wife not to be a drug addict. But what she wanted she got."

Mark Bohannon deliberately passed information to drug dealer Syed Imtiaz Ahmed which allowed him to continue his largescale drug dealing "undetected and unpunished".

Speaking of Ahmed, who gave evidence for the prosecution, the judge said the conspiracy "allowed him to boast to those having business with him that he had a corrupt police officer at the police station on the end of the line".

"It must surely have enhanced his reputation and capacity to earn huge amounts of money," the judge said.

Bohannon carried out 475 checks on a variety of police intelligence systems between April 12 2001 and May 10 2007, the court heard.

Speaking after the convictions last month, Gaon Hart, reviewing lawyer for the CPS's special crime division, said: "We believe that justice has been served for the public in this case and an extremely dangerous conspiracy has been foiled."

Bohannon carried out searches of confidential police systems after being "tasked" to do so by the dealer, "deliberately passing information to Syed Ahmed in return for free drugs and for money", prosecutors said.

Bohannon previously admitted his actions "compromised" police investigations as he passed information to his wife Denise, used her as an informant without telling his colleagues, and failed to report her possession of class A drugs.

David Durose, prosecuting, told the jury the couple, who have been married for 21 years, had a "corrupt" relationship with Ahmed, who was the "coordinator" of a drugs organisation responsible for the supply of cocaine, ecstasy and cannabis over a period of many years".

Bohannon also failed to input intelligence he gained about Mr Ahmed on to the police system.

"He used the police computer systems corruptly and for his own ends," Mr Durose said.

At the time of the offences, on or before May 10 2007, Bohannon was a field intelligence officer with the Met's Territorial Support Group, based in Catford, south London.



Mr Durose said he worked an "enormous" number of hours, regularly clocking up 100 hours of overtime a month, and used the access the job gave him to password-protected databases "corruptly".

In one year, he earned up to £77,000 with overtime, the court heard.

Bohannon was passing information to his wife which she then passed on to Ahmed. But as her cocaine use increased, she began to give false information to score free drugs so Bohannon asked the dealer to stop giving drugs to his wife, a dancer, and suggested any cash payments should be made to him instead.

From then on, Ahmed would "generally" only supply Denise Bohannon with free drugs in return for particular details he had asked for.

Ahmed did not give money to Mark Bohannon as a rule, although there were a couple of occasions when payment was given in cash, Mr Durose said. "Mr Ahmed remembers giving Mark Bohannon £200 or £300 for a check."

Denise Bohannon mouthed "You're dead" to her husband as she was sentenced. She then nodded before tearful friends and family members swore at the judge as the couple were taken down.

One said: "See what you've done to her now. You're going to f***** turn her into a drug addict or something."

The judge asked the woman to leave the court.

As another friend approached the dock, where the Bohannans sat with two officers, Denise Bohannon told her: "Tell the truth and have him done."

The dock officers could be heard shouting "That's enough now" as the Bohannans were taken to the cells.

Sentencing Mark Bohannon, the judge told him: "The reason you were prepared to commit this quite appalling misconduct in public office lies in the relationship between you and your wife.

"What's quite clear is that you did this because she wanted you to and you were weak enough to give in to her wishes. "But only you know fully why you were prepared to behave in this way."

As a field intelligence officer, Bohannon was given less supervision and in the "perfect position" to give Ahmed the help he wanted, the judge said. Mark Bohannon stared straight ahead as he was sentenced.

Turning to Denise Bohannon, the judge told her she did not have the public duties her husband had, but was "responsible for his embarking on this misconduct".

The prosecution's costs ran into six figures, with the cost of the police operation "very substantially more", the court

was told. But the judge did not order the defendants to pay costs as he heard neither had any assets or savings.

Michael Bromley-Martin QC, mitigating for Mark Bohannon, said his client gave information to Ahmed about the drug dealer himself, his runners, acquaintances, employees and debtors, and, in one case, about a police raid.

"However, it is clear that the only quantifiable damage caused by that activity appears to be the raid," Mr Bromley-Martin said.

Officers seized only a small amount of cannabis when they carried out the drugs raid, the court heard.

Mr Bromley-Martin said this case would not have happened had it not been for Denise Bohannon's "descent into cocaine addiction".

He also referred to the "highly manipulative nature" of Ahmed, "not so much on Mark Bohannon as on Denise", and said the officer received "no financial benefit".

Laurence Kench QC, mitigating for Denise Bohannon, said she was vulnerable and manipulated by Ahmed, who nurtured her addiction to cocaine for his own benefit.

"It was a bizarre situation that was fed and encouraged by Ahmed and his associates," Mr Kench said.

Later, Detective Inspector Nick Joyce, of the Metropolitan Police, said:

"This case further illustrates the ongoing commitment of the Met to tackling any form of corruption or wrong-doing.

"We have dismantled an organised criminal network supplying drugs and this case should act as a reminder that there are severe consequences for anyone involved in corruption or criminality."

Ahmed, 32, of Brookside Road, Istead Rise, Kent, pleaded guilty in October 2007 to conspiracy to commit misconduct in public office and conspiracy to supply controlled drugs of both class A and C. He was jailed for eight years for his part in the conspiracy, Scotland Yard said.

A Scotland Yard spokesman said: PC Bohannon brought disgrace to the police service as a whole."

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Parole Hearings & Appeals

Prison Law Solicitor
Lisa Gianquitto writes on the
Parole Process and Appeals

The Parole Board for England and Wales was established in 1968 under the Criminal Justice Act 1967. It initially consisted of only 17 members, including psychiatrists, High Court Judges and criminologists. At that time the role of the Parole Board was to advise only on the suitability of release for a life prisoner.

The decision whether to release any life sentence prisoner lay with the Home Secretary. All decisions relating to initial release were made on the papers, there was no disclosure of the reports upon which the decision was based, no chance for a prisoner to make representations and no reasons for the decision were given!

Today the Parole Board has developed to become a non-departmental public body (NDPB) consisting of 163 members and having approximately 100 administrative staff. They are an independent body. They do not work for the Courts Service, Probation Service, for the Home Secretary or any other government body. They are however accountable to Parliament and the public. Their mission statement is:

The Parole Board is an independent public body that works with its criminal justice partners to protect the public by risk assessing prisoners to decide whether they can be safely released into the community.

Fortunately, there has been a dramatic change in the way in which the Parole Board assess risk and make their decisions. Prisoners are now entitled to disclosure of documents, publically funded written and oral representation and full reasons for decisions are given. The Parole Board decision whether to release is final on all classes of indeterminate sentence prisoners and all determinate sentence prisoners serving four years or more for specified sexual and violent offences committed prior to 4 April 2005. The only exception to the above is determinate sentence cases for prisoners serving fifteen years or more where the Justice Secretary retains the discretion whether to release or not. The majority of these changes have been as a result of legal challenges over the years by prisoners.

The Parole Board has its own set of rules which came into force on 1 August 2004 which were subsequently amended in February 2009 to provide the Board with greater flexibility in how to cope with an increasing number of cases referred to it. The Parole Board (Amendment) Rules 2009 now allow for the Board to decline a hearing where there is no prospect of an indeterminate sentenced prisoner being released. Previously a prisoner had an automatic right to an oral hearing, now a prisoner can only request a hearing, giving full reasons for the request.

The Parole Board now has 14 days in which to provide written reasons for their decision. In addition, the change in the rules allows for a one member panel as opposed to the original three. This amendment was an attempt to free up other

members so that more oral hearings could be conducted. In June 2009 the number of outstanding oral hearings was estimated at 1840!

The Parole Board will therefore hold an oral hearing in the following circumstances:

- For indeterminate sentenced prisoners either at tariff expiry or post tariff where there is a prospect of release
- For the re-release of recalled indeterminate sentenced prisoners
- For determinate sentence prisoners serving sentences of four or more years for specified sexual or violent offences committed prior to 4 April 2005 where the Board assesses the oral hearing to be necessary in the interests of fairness
- For recalled determinate sentence prisoners where the interests of fairness dictate
- For indeterminate prisoners seeking a move to open conditions where there is a prospect of such a move
- For recall of extended sentence prisoners an oral hearing will normally take place

As already mentioned, the Parole Board has a duty to provide written reasons for its decision, whether this is to decline or to direct release, or whether to identify the area of risk involved. The Board is not entitled to provide an opinion on the security category of a prisoner or recommend assessment for specific offending behaviour programmes or treatment needs. Neither can it comment on the date of the next review; these are wholly outside the remit of its powers. In fact, in the referral letter to the Parole Board the Secretary of State specifically reminds the Board that it is not being asked to comment on these matters. If a prisoner receives a knock back (decision letter declining release) and the letter refers to any of these it would be worthwhile seeking the advice of a prison law solicitor to establish whether there are grounds to challenge the decision.

There is no appeals procedure in place to challenge a Parole Board decision. This may come as a shock to many! There is no procedure to challenge a decision simply because a prisoner does not agree with it. The Parole Board has a complaints procedure but this is not for the purpose of challenging Parole Board decisions. In theory the only way to challenge a Parole Board decision is by way of Judicial Review. Any application must be done within three months of the date of the decision. This is a complex area of law but a successful application to the High Court will be undertaken on the basis:

- There has been an error in law e.g. where the Board has not taken into account a relevant matter or has taken into account something irrelevant and relied upon it
- There has been an unfairness in the decision making process – not that the decision itself was unfair
- The decision reached was unreasonable to the point of being irrational

- There has been a breach of the requirement to act compatibly with the Human Rights Act 1998

In all these areas it is important a prisoner instruct a competent prison law solicitor to establish whether there are grounds to challenge a decision.

Unfortunately as remedies in Judicial Review claims are discretionary, even where there are grounds to challenge the decision the High Court may, in certain circumstances, refuse to do so. The reality is that if a solicitor believes there are grounds to challenge the decision they are able to draft a letter to the Parole Board setting out why they believe the decision or the reasons for the decision were wrong.

The Parole Board website gives specific examples of when it will reconsider a case:

You, or your solicitor, can write to the Parole Board explaining why you think the decision or the reasons for it are wrong. The Board can re-consider its decision if information it should have had at the time was not in the dossier; or where the correct procedures were not followed; or if the reasons are not good enough. The Board will not reconsider just because you do not agree with the decision.

If this sounds familiar it's because the reasons cited warranting further consideration are exactly the same as those that will merit an application for Judicial Review! The Board can (and in my experience will) reconsider its decision if they agree that any of the above apply. The decision is usually reconsidered by way of a further oral hearing. This obviously avoids the need for the case to proceed to Judicial Review. If, following a solicitor's letter, the Parole Board refuse to accept there are

grounds to challenge the decision, then would be the appropriate time to seek judicial review. Any prisoner who has received a recent knock back and wishes to know whether there are grounds to challenge the decision should instruct a prison law solicitor without delay.

Contact Lisa Gianquitto on 01494 681442

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CONSCRIPT

Letters to the Editor.....

HEAR HEAR - WELL SAID THAT WOMAN!

I would like to write to congratulate the Prison Officer's wife, and Converse, for the letter published in the February edition entitled 'Its them who have to adapt, not us'.

The Prison Service seems to exist in a vacuum, it has no relation to life outside, everything has to be politically correct and if I should say something out of turn, something that some people take offence at, then I'm damned - what happened to the right to freedom of expression?

Why should I call a spade a shovel? Its a spade at the end of the day and to paraphrase Oscar Wilde, the British Empire wasn't made by the likes of Inside Time!

Converse has made an indelible mark on the Prison System, for too long we have had to put up with newspapers that tell us absolutely nothing of interest and are years behind the times - its a brave paper like Converse that holds the torch and steps forward like you have done and I congratulate you for it, and for your editorial policy which highlights wrongdoing by those in authority - other 'newspapers' are simply too afraid to cover such issues because of their close ties with the Prison System.

Dave R
HMP Full Sutton

Mark Leech replies: It won't come as any surprise to learn that I have my disagreements with 'that other newspaper', but credit where its due, Inside Time forged the path in 1990 when prison newspapers were unheard of and they deserve recognition for that - I know because I wrote the first ever prisoner's column in it at the time.

It's not that Converse is good and Inside Time is bad, or vice versa, we each have our place informing prisoners, we just have different editorial policies and beliefs as to how it should be done - and who is to say who's right and who's wrong?

Let's leave it at that, but thank you for your comments.

END OF CUSTODY LICENCE

Can you please tell me the truth in relation the ending of ECL, there are all sorts of rumours flying around here, wing notices have been put up, taken down, changed and no-one can give me a clear answer to when it actually ends.

Brad W
HMP Cardiff

Mark Leech replies: The Justice Secretary announced on 22 February 2010 that the End of Custody Licence (ECL) scheme is to be abolished with effect from 12 March 2010.

No prisoners with ECL eligibility dates

after 12 March will be released on ECL, except as explained below.

Prisoners with eligibility dates up to and including 12 March may be released under the scheme, even if the release takes place on or after 15 March.

From 22 February no further ECL3 forms are to be issued where eligibility for release falls after 12 March.

Prisoners with ECL eligibility dates falling between 12 March and 9 April 2010 and who have already been issued with a form ECL 3 notifying them of a specific release date during this period may be released on ECL as planned.

Otherwise, prisoners whose eligibility date for ECL would have fallen on or after 13 March 2010 will be released on their Automatic Release Date (ARD/CRD). No prisoners at all are to be released on ECL after 9 April 2010.

That's the current position in a nutshell. The ECL scheme itself was introduced in June 2007 as a temporary measure to ease population pressures on the prison estate, but Jack Straw has come under increasing pressure from the Tories to abolish the scheme - and with a looming General Election, and the risk of a catastrophic offence being committed by someone on ECL, he has moved to call it a day.

The Ministry of Justice says: "Current forecasts indicate that there is sufficient room in the prison estate for the ending of ECL now to be viable. Capacity has

increased substantially over the last 2 years and is on track to increase to 96,000 places by 2014." The reality for the moment is that ECL is finished, but with a prison population that continues to increase in such a way that it is destined to soon outstrip capacity it's anyone's guess how an incoming government will make the pegs fit the holes.

UNLAWFULLY AT LARGE

People who escape from closed prisons always seem to end up in court charged with escape, a new notice has appeared saying that those who abscond from open jails may not be prosecuted, why is that?

Vikram S
HMP Wellingborough

Mark Leech replies: This 'new notice' you refer to comes I imagine from the issue of PSI 13/2010 which amends the criteria set out in annex C of PSO 2000 (the Prison Discipline Manual - Adjudications) for referral of abscond offences to the police.

In particular, the PSI withdraws the advice to Governors that a prisoner should be unlawfully at large from an open prison for a substantial period, normally over eight weeks, before the case is referred to the police for possible prosecution.

The PSI states that Governors should continue with existing locally agreed policies and practices on referring absconders to the police until a national protocol is agreed and in place later this year, but the intention seems to be a getting tough approach with absconders which will see more of them being referred to the CPS for prosecution - a fine way to set about reducing the prison population when the disciplinary system is able to cope much more easily and at far lesser cost to the public purse - something else the Government keeps telling us it is determined to reduce! Paragraphs 13 to 15 of Annex C of PSO 2000 (the Prison Discipline Manual - Adjudications), set out a number of criteria that governors should take into consideration when considering referring an abscond to the police for investigation and consideration for onward referral for prosecution.

In particular the advice in the annex says that absconds from open conditions should be referred "where a prisoner has been absent for a substantial period of time (normally any period over 8 weeks)". The CPS have raised concerns that some of these criteria in the PSO may lead to a judicial review of any decision by the CPS to prosecute

prisoners for absconding in certain circumstances, for example, where a prisoner is absent for less than 8 weeks. This follows previous court rulings that local policies should be taken into account in any decision to prosecute. The guidance in Annex C was agreed with the Crown Prosecution Service and police some time ago, and is now out of date. New guidance on crimes in prison is currently being discussed with ACPO and the CPS. In the meantime the current guidance on referring absconders is being withdrawn but governors should continue with locally agreed policies and practices on investigation and referral to the police of absconding prisoners until the new guidance is available later in 2010.

STORED PROPERTY TIME LIMITS

I'm a lifer who has been inside now for 13 years and during that time a lot of my property is stored at Branston - I don't have anyone on the out who can look after for me. My offender supervisor has said that new rules mean that no-one can have their property stored at Branston for more than 12 months in future and that leaves me with a problem as I have a 21 year tariff and no where to send my property to, so what am I to do?

Gary McD
Gartree

Mark Leech replies: I think your Offender Supervisor needs to re-read the rules in relation to stored property, there have been changes recently to stored property rules, that's true, but they do not apply in your case.

The NDC at Branston does not have an infinite capacity in which to store prisoners' property, and this has caused a recent change in the rules. Current NOMS estimates suggest that any remaining capacity will have been exhausted in the near future - certainly by the end of the year.

The Ministry of Justice say that a large amount of (ever increasing) property is currently stored at a considerable cost. Further, this is causing unnecessary strain on existing systems and the difficulties associated with the

When he said I'd be in hot water for crossing him - I didn't think he meant this



This wasn't his sentence and it's not yours! You're in prison to do your time - and that's all.

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management of the sheer volume of property are leading to claims from prisoners for compensation. Moreover, they say, the space currently utilised in respect of storing prisoners' property is restricting the possibility of the service entering into further procurement contracts.

Guidance on how to manage your stored property can be found in PSO 1250. The new Instruction your Offender Supervisor refers to simply tells establishments about a change to Prison Rule 43 (4) and YOI Rule 48 (3) that has just come into effect. It also amends existing guidance contained in PSO 1250 (Chapter 3, paragraph 3.7). The aim is to ensure that property belonging to a prisoner who is no longer in custody is held for a maximum period of 12 months after their permanent release, abscond, escape or death - it does not apply to people like yourself, or others, still serving their sentence.

From 15th February 2010 any property which is placed in storage for a serving prisoner must be kept only for a period of 12 months *after their permanent release, death, escape or abscond*. This means that the disposal period in respect of unclaimed prisoner property has been reduced from 3 years to 12 months.

Property placed in storage prior to 15th February 2010 for those prisoners that have already been permanently released, escaped, absconded or died, subject to previous arrangements i.e. the property must be retained for a period of 3 years. Anyone who escapes or absconds and is unlawfully at large for more than 12 months could have their stored property disposed of if it was stored after 15th February 2010, but apart from that, your stored property cannot be disposed of while you are still serving your sentence - so relax!

CATEGORY A: CRITERIA

Can you explain to me what are the factors that determine whether someone is placed in Category A? I'm a Category A inmate and I've never understood the reasons why I'm in Cat A when others who seem more dangerous are Cat B - also what exactly is 'Restricted Status'?

Joey B
HMP Frankland

Mark Leech replies: First of all let's look at what 'Category A' actually is in textbook format: "A Category A prisoner is a prisoner whose escape would be highly dangerous to the public, or the police or the security of the State, and for whom the aim must be to make escape impossible." The reason why some people who you would think should be Cat A are actually Cat B is because governors are advised that in deciding whether

Category A is necessary, consideration should also be given to whether the stated aim of making 'escape impossible' can be achieved for a particular prisoner in lower conditions of security, and that prisoner categorised accordingly. However, this will only arise in exceptional circumstances, since escape potential will not normally affect the issue of categorisation, as it is rarely possible to foresee all the circumstances in which an escape may occur. 'Restricted status' applies to anyone other than an adult male. Any female, young person or young adult prisoner convicted or on remand whose escape would present a serious risk to the public and who are required to be held in designated secure accommodation is categorised as a Restricted Status prisoner. Such prisoners differ from Category A prisoners in that, although potentially highly dangerous if unlawfully at large, they are seen as lacking the capacity or propensity to plan or to effect an escape from secure conditions - Restricted Status prisoners are always treated as Category A prisoners when taken outside the prison.

The Director of High Security is responsible for the categorisation of Restricted Status prisoners, Women and Young People's Group is responsible for their allocation.

A prisoner may be identified as meeting the criteria for Category A or Restricted Status if the offending involves:

- extreme, sadistic or frenzied violence;
 - a serial or escalating pattern of serious or potentially life-threatening violence;
 - extreme violence against a victim unknown to or not closely related to the offender;
 - extreme sexual violence;
 - robbery with potentially life-threatening violence against the public or the police;
 - firearms being discharged at a victim, particularly in a public place;
 - large-scale trafficking of Class A controlled drugs, particularly where the offender has used violence or firearms, or has access to firearms and other resources to assist an escape attempt;
 - Terrorism or Official Secrets Act breaches that have potentially serious consequences for the public, police or security of the State;
 - serious organised crime, as defined in Schedule 1 Part 1 of the Serious Crime Act 2007, where the offender is believed to have a continuing role in an organised crime group, and is of continuing interest to law enforcement.
- The offences that may result in consideration for Category A or Restricted Status include:
- Murder
 - Attempted murder

- Manslaughter
- Wounding with intent
- Rape
- Indecent assault
- Robbery or conspiracy to rob (with firearms)
- Firearms offences
- Importing or supplying Class A controlled drug
- Possessing or supplying explosives
- Offences connected with terrorism
- Offences under the Official Secrets Act

All Category A prisoners are placed in one of three escape risk classifications, but Restricted Status prisoners do not have these classifications.

These escape risk classifications are:

- **Standard Escape Risk.** A prisoner charged with a serious offence which would make them highly dangerous if at large. No specific intelligence has been received either internally or from external agencies to suggest that the threat of an escape attempt is likely at this time.
- **High Escape Risk.** As per Standard Escape Risk above, however, intelligence received either internally or from external agencies would suggest that the individual has access to the type of resources and associates that could provide assistance in attempting to facilitate an escape and the propensity to activate them.
- **Exceptional Escape Risk.** As per High Escape Risk above, however, recent intelligence received either internally or from external agencies would suggest that an escape attempt is being planned and the threat is such that the individual requires conditions of heightened security in order to mitigate this risk.

The Director of High Security is responsible for deciding a Category A prisoner's escape risk classification.

The four security categories for prisoners (A, B, C and D) were introduced as a result of Lord Mountbatten's 1966 enquiry into Prison Service security. This followed the escape of George Blake, a Russian spy sentenced to 42 years who six weeks after being sentenced calmly walked out of Wormwood Scrubs prison one fine afternoon in the Autumn of 1966; the resulting outcry caused a fundamental review of prison security of which security categorisation (and the High Security Estate - including Dispersal Prisons) remain with us to this day.

The procedures for the review of Category A and Restricted Status prisoners have since undergone a number of changes, including through High Court judgements resulting from judicial reviews brought by prisoners. The most recent changes resulted from the Pate judgement in 2002 (R v SSHD ex parte Pate) and the Lord judgement in 2003 (R v

SSHD ex parte Lord). The Pate judgement amended the definition of Category A to ensure each prisoner's review takes into account any exceptional circumstances that suggest the prisoner's escape could be made impossible in less secure conditions. The Lord judgement resulted in the disclosure to prisoners of the reports used in their reviews, subject to exemptions under the terms of the Data Protection Act 1998.

Recent guidance has also been issued in the form of PSI 03/2010, a copy of which is available in your library.

LGBT PRISONERS

I write to ask if you may be able to assist me in my aim to promote awareness of Lesbian, Gay, Bi-sexual and Transgendered (LGBT) issues in prison.

I am a (male to female) transgender prisoner appointed as the LGBT representative for this prison.

My initiative is to create individual booklets for each lesbian, gay, bisexual, trans and questioning inmate and also for staff. It will include an introduction and outline, frequently asked questions, personal stories, experiences, terminology, useful contacts, address, organisations, and passing tips for prisoners' sexual health.

Please could you consider including this in Converse and include my details to other LGBT prisoners can forward any ideas or advice etc. May I take the opportunity of saying how much I enjoy reading Converse, and please keep up the good work.

TA7488 (A9319AC)
Charlotte Summers
HMP Maidstone
County Road
Maidstone
Kent ME14 1UZ

Mark Leech replies: Delighted to be able to help, its a subject that many fear addressing, and homophobia feeds on such ignorance. Many people still find it difficult understand the difference between sexuality and gender for example, but as it was once somewhat crudely explained to me - I hope correctly - "sexuality is between your legs, gender is between your ears!" Good luck with your booklets!

If you want to write to ConScript, send your letters to
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Off-Duty Cop Thought He'd 'Hit a Post' - Despite Blood and Flesh on Windscreen



Mr Morse told the jury that on the morning of the collision Jones was travelling along the road, which links Birmingham and Coventry, in his BMW Series 5 at a speed just below the limit of 60mph.

He said the collision with Mr Cheung was "entirely unavoidable", explaining: "He is not criminally responsible for Raymond Cheung's death, there was nothing he could have done to avoid it."

But the prosecutor said Jones

"must have known" he had hit a person and failed in his duty as a police officer when he did not pull over at the scene.

Mr Morse said: "He did not stop. There is some evidence from a taxi driver who was on the scene at the time of the collision that he actually speeded up and he drove away."

The court heard that a number of other motorists who spotted the body in the road pulled over and put on their hazard lights to alert other drivers to the obstruction. Despite their efforts the body of Mr Cheung was struck by a Volvo car and carried for some distance along the carriageway, Mr Morse said.

The prosecutor said Mr Cheung had driven to a service station on the Coventry-bound carriageway of the road, where he parked his car, leaving his mobile phone and wallet inside.

The court heard that the 20-year-old, originally from Hong Kong, had recently had a "falling out" with a female student at the university and may have walked into the oncoming traffic intentionally.

Mr Morse said: "He crossed the dual carriageway

on the Coventry to Birmingham side and made his way in some way or another, over or under or through the central reservation.

"Mr Cheung was a pedestrian wearing black clothes who will have emerged from a shadow on an unlit road.

"It is most likely that, at the time when the defendant for the very first time saw him, he will have had something in the region of 1.5 to two seconds to react. In other words, no time at all.

"He did hit the student. The consequence of that impact was that Raymond Cheung suffered multiple injuries and was killed."

The prosecutor added: "Mr Cheung may have stepped into the defendant's carriageway intentionally.

"It is one of the explanations that fits with the evidence that I have outlined to you."

Mr Morse said a post-mortem examination found evidence that Mr Cheung had been standing upright in the road when he was struck and had subsequently hit the windscreen of the BMW.

He said: "We know his body must have done that because, later on, hair and skin and blood from him was found in the damaged glass of the windscreen." The court heard that after the collision Jones, of Allesley, Coventry, drove home and called a police station in the city. He told officers he needed someone to come to his home and said he believed he had hit a post. When two police officers arrived at his home he told them he had heard a "loud pop" as his windscreen smashed and he hoped he had not struck a person, Mr Morse said.

He added: "In response to their silence he said words to the effect of, 'Oh God, it was a person wasn't it?'"

Mr Morse said: "Albeit at a time when he could do

nothing about it... at a time he must have seen that there was a pedestrian standing in the road in front of him.

"At some point his windscreen has shattered.

"The most likely cause for its shattering is that Raymond hit it and one of the parts of Raymond Cheung's body that hit the windscreen are his head and face."

He added: "It is the Crown's case that if one stops as dispassionately as can be and then examines these circumstances by that analysis, one is driven to the

conclusion that the driver must have known that he had hit a person.

"But as I have said, he did not stop. Other people did.

"We say that when he drove on he was making an intentional choice to drive on."

The court heard that parts of the BMW were found at various points on the defendant's route home, including on the forecourt of a service station where he is alleged to have stopped to assess the damage to his car.

Mr Morse said the front bonnet of the BMW was "stoved in" and the registration plate was recovered in two parts from the road.

He said: "The state of the windscreen was such that he (Jones) could not see to drive properly and safely.

"It is not that he just lost his head and drove off by the quickest route home, because he didn't. He stopped at least once and probably twice on the way."

[Ed: As we went to press, Chief Inspector Jones was cleared of all charges and now faces an internal disciplinary inquiry]



An off-duty police chief inspector whose car struck a university student on a dual carriageway failed to stop and claimed he thought he had hit a post, despite having the victim's blood and skin on his shattered windscreen, a court has been told.

Jamie Jones (above), from West Midlands Police, hit Warwick University student Raymond Cheung (right) on the Coventry-bound carriageway of the A45 in the early hours of March 8 last year.

Jones, 38, carried on driving after the fatal impact, leaving the victim's body in the road to be struck by a second car, Shrewsbury Crown Court heard.

Malcolm Morse, prosecuting, told jurors that Jones was not to blame for Mr Cheung's death as the student emerged on the road just a second or two before the collision.

The inspector is charged with misconduct in a public office for failing to stop at the scene and dangerous driving. The charge of dangerous driving relates not to his driving before the collision, but to the allegation that he continued to drive with a smashed windscreen.

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Lord Con gets 18 Years



An conman who claimed he was the illegitimate son of financier Edmund De Rothschild has been jailed for 18 years for defrauding a mother and raping a girl.

Unemployed Alexander Marc De Rothschild-Hatton claimed to be an Oxford-educated international financier as part of his ruse to bleed more than £300,000 from divorcee Christine Handy. The 49-year-old, of Bowling Green Road, Cirencester, was found guilty at Bristol Crown Court of seven counts of obtaining money transfers by deception.

He was also convicted last May of four counts of rape and three counts of sexual assault on a 13 year old girl.

Judge Julian Lambert sentenced De Rothschild-Hatton at Bristol Crown Court to 15 years for the sexual offences and three years for the fraud offences.

Both terms will be served consecutively.

Passing sentence, the judge said De Rothschild-Hatton "systematically corrupted" his teenage rape victim, getting her pregnant on one occasion.

"From the age of 13 to 17 she was utterly oppressed and he made her miserable. He has spoiled her formative years, which should have been filled with happiness. As well as raping a young girl, he took to preying on an emotionally vulnerable woman. By telling lies disguised by a thin veneer of respectability and education he extracted towards £300,000 from her."

Judge Lambert said De Rothschild-Hatton wasted the money on "high living" to fuel his fantasy of a "jetset lifestyle".

He approached Christine Handy and started a relationship with her. Mrs Handy lent him sums ranging from £50,000 to £105,000 for London Business School fees, income tax demands and investment opportunities.

But in reality he was splashing the cash on luxury items including clothes from Burberry and Ralph Lauren, and a £66,000 BMW convertible.

She told the court a member of his family approached her and told her "he was not who he was proposing to be", so in September 2006 she confronted him. De Rothschild-Hatton responded by ending the relationship, but she pursued him and tracked him down in New York State in the US, in a town called White Plains.

It emerged that while De Rothschild-Hatton was duping Mrs Handy, he was also systematically raping and sexually assaulting a teenage girl.

In an earlier trial at Bristol Crown Court, the jury heard De Rothschild-Hatton repeatedly raped his victim - getting her pregnant on one occasion and forcing her to have an abortion.

Met 'Steroid Cop' Jailed



A Metropolitan Police officer has been jailed after admitting dealing steroids and perverting the course of justice.

Justin Weaver, 28, of Swansea, South Wales, was revealed as a long-time anabolic steroid addict as he was jailed for 16 months.

He used an ex-girlfriend and South Wales Police civilian worker to check whether his activities were being investigated.

Weaver was sentenced at Swansea Crown Court with five others who all played larger or smaller parts in the complex drug case.

Weaver was 19 when he started taking the illegal

drugs, used widely by body-builders, while working at a gym, the court heard.

From then on he became psychologically dependant on the drugs which ultimately led to his dramatic fall from grace.

He had used his contacts in the city to supply a handful of body-building friends with the drugs.

Judge Peter Heywood told him his actions amounted to a "gross breach of trust" as he jailed him.

"Your culpability is the most extreme because you were a serving police officer with the Metropolitan Police," he said.

"You have let down yourself, your family, your colleagues and the police force."

With him in the dock was Weaver's ex-girlfriend Amanda Griffin, 29, of Swansea, who used her position as a civilian police worker to help him.

As a call handler in the Force's Occurrence Bureau she was able to access police intelligence and carried out checks on his name.

Jim Davis, prosecuting, told the court she had also helped him avoid prosecution after he was caught speeding driving her car.

Weaver and Griffin had both previously admitted conspiracy to pervert the course of justice.

Both also admitted conspiracy to commit wilful misconduct in public office.

Weaver alone also admitted two counts of conspiracy to supply controlled drugs.

Griffin was given a 24-week jail term suspended for 12 months and ordered to do 120 hours of unpaid work.

Body-builder and ambulance worker Alan Dutton, 37, of Swansea, was also jailed today for supplying Weaver with steroids. He admitted two counts of supplying controlled drugs, steroids and diazepam, and was jailed for 10 months.

John Griffiths, 41, was given a 26-week prison term, suspended for 12 months, and ordered to do 120 hours unpaid work. He admitted allowing his premises, TBS Nutrition in Oxford Street, Swansea, to be used for the supply of controlled drugs.

Andrew Surman, 32, of Swansea, admitted a single charge of supplying a controlled drug. He was given a 32-week jail term, suspended for 18 months, and ordered to do 18 months of unpaid work.

Leighton Hackles, 32, admitted conspiracy to supply controlled drugs. He was jailed for 40 weeks, suspended for 18 months, and ordered to do 200 hours of unpaid work.

The illicit dealings were uncovered when police in Swansea raided a number of addresses in the city in February 2009.

The operation was led by the Metropolitan Police because of the role that Weaver had been playing in the dealing.

Drugs to the value of £6,500 were seized together with a number of mobile phones.

Examination of texts found in the phones provided the evidence linking all of the men involved with each other.

They also provided details of specific deals, the number and value of drugs involved and the location of buyers.

Summing up the case, the judge acknowledged that Weaver had only been dealing steroids to a handful of five or six friends.

He also passed sentence in the understanding that prison for a former policeman had its own problems.

A Metropolitan police spokesman said: "wherever police officers are acting corruptly we will investigate thoroughly, we will pursue them rigorously whatever the cost and time involved, police officers are there to uphold the law not break it when it suits them.

"The sentence handed down to Weaver shows that the courts will not tolerate criminal conduct by serving police officers - Weaver is a disgrace to himself, the force and his family."

Elmley Officer Jailed for 20 Months

A prison officer has been jailed for 20 months for smuggling cannabis and a mobile phone into a Kent prison.

Scott Price, 31, was arrested on August 17 last year when staff were randomly searched when they arrived for work at HMP Elmley on the Isle of Sheppey.

Price had worked at the prison for 10 years.

He admitted the two charges of taking in the drugs and phone and also admitted that he was asked to take in similar articles, including alcohol, for prisoners during his shifts on three other occasions. He told officers he was asked to smuggle in the items by someone who lived on the Isle of Sheppey and was paid £500 each time.

Price, from Stiles Close, Minster, Isle of Sheppey, was sentenced to 20 months for the first charge of taking prohibited articles into the prison and another six months for the second, to run concurrently.

He was sentenced at Maidstone Crown Court on Tuesday, a spokeswoman for Kent Police said.

Detective Sergeant Paul Irwin, of the force's serious and organised crime unit, said: "It is these types of offences that undermine the security within HM prisons and it is the desire of Kent Police to work closely with the prison service to tackle and dismantle any group of individuals targeting Kent's prisons."



More Calls To Release Lockerbie Medical Evidence

Calls for the medical evidence behind the release of the Lockerbie bomber to be published in full have been stepped up - six months have passed since the Scottish government allowed Abdelbaset Ali Mohmed Al Megrahi to go home to Libya on compassionate grounds, after medical evidence indicated he only had three months to live.

The Libyan is being treated for terminal cancer in his homeland, and both Labour and Tory opposition in Scotland have demanded that full details of why he was released are published. Megrahi was greeted by cheering crowds in Tripoli after flying home from Scotland, scenes which prompting widespread revulsion in Britain and the US.

Scottish justice secretary Kenny MacAskill cited the three-month prognosis when he released the convicted bomber on August 20 last year.

Scottish Labour leader Iain Gray said: "The decision to release Megrahi was a grave error of judgment

and six months on it is also clear that it was a completely botched process.

"Kenny MacAskill should have properly weighed the seriousness of Megrahi's crime and long sentence against his compassion for the victims of the Lockerbie bombing.

"The Justice Secretary should not have gone to Greenock Prison for a personal meeting with Scotland's worst mass murderer and he certainly should have obtained a second opinion on the medical evidence."

Labour justice spokesman Richard Baker added: "The public deserve to know exactly what the evidence said and I urge the justice secretary to release the medical evidence in full immediately."

Megrahi is the only man to have been convicted of the Lockerbie atrocity which saw 270 people killed in the bombing of Pan Am flight 103 on December 21 1988. A recent inquiry by Holyrood's Justice Committee criticised Mr MacAskill's decision to visit

the bomber in prison. Tory justice spokesman Bill Aitken, who chairs the committee, said: "Six months on and Scotland is still sickened by the sight of his hero's return to Tripoli.

"Alex Salmond's SNP government is still refusing to publish the independent medical advice upon which they based their decision to free Britain's biggest mass murderer.

"The time has come for that to change. The public has a right to know the full details of why the Lockerbie bomber was released, including backdated reports and all ongoing medical assessments."

A government spokeswoman said the medical report from the director of health at the Scottish Prison Service on which Mr MacAskill based his decision, had been published on the Scottish Government website. The report does not detail the advice from various consultants and specialists who looked into Megrahi's case.

The spokeswoman added: "The justice secretary said at the time of the release that he may die sooner or he may die later. Mr Al-Megrahi was allowed to go home to Libya to die on compassionate grounds.

"It was the right decision for the right reasons, Mr MacAskill followed due process every step of the way and he has repeatedly expressed his deepest sympathy for the relatives of all victims of the Lockerbie atrocity."



Information Commissioner Reverses Sex Case Material Decision



The Information Commissioner, who is the person responsible for ensuring that official bodies release information to the public under the Freedom of Information Act, has reversed an earlier decision ordering a police force to disclose information about their investigation into sex offences after the police said they would sue rather than comply.

Police fear sex offenders could take advantage of information access laws to obtain evidence of their crimes to use as prison cell trophies.

Senior officials said rapists, sex offenders and paedophiles are increasingly using data legislation to try and make forces hand over sensitive documents.

They are fighting one case in which a jailed rapist wants to obtain an original copy of witness statements made by his victim.

Another police force has successfully fought off a request by a suspected child abuser for video footage of interviews with his alleged victim.

Applications for information have been made under subject access requests contained in the Data Protection Act.

Former Hampshire deputy chief constable Ian Readhead said he fears some applications have been made for "voyeuristic" reasons.

Mr Readhead, who heads an Association of Chief Police Officers (Acpo) unit tasked with advising forces on information handling, said important principles are at stake.

He said: "Subject access was never meant to facilitate the provision of this kind of information. Clearly our concern is that it is being used inappropriately.

"Of course we have to balance that with the reality that people should have a right to access data that affects them. But there has to be a balance."

Mr Readhead said sex attack victims could be discouraged from coming forward if some materials are open to their assailant.

He added: "We will seek to try and defend this principle because in our opinion it is inappropriate in these circumstances."

Individuals can request personal information about them held by large organisations using powers under the Data Protection Act 1998.

The law does include several exemptions aimed at protecting information held for crime prevention, to catch offenders or collect taxes.

But police officials believe increased awareness of data handling has led to some people trying to test the limits of relatively new legislation.

Mr Readhead's comments came after Thames Valley Police stopped a child abuse suspect from accessing police interview videos.

The Information Commissioner's Office originally told the force to hand over the material after receiving a complaint.

But officials changed their minds after several

weeks of wrangling behind-the-scenes, including a threat to take the case to the High Court.

A Thames Valley Police spokesman said: "Thames Valley Police considers it a fundamental principle of maintaining the support and trust of vulnerable victims and witnesses for them to be able to come forward and report crimes in a confidential way and this position was brought to the attention of the Information Commissioner's Office through the agreed appeals procedures.

"Securing the best evidence available is integral to the prosecution of perpetrators who may target the vulnerable and to the special measures later available to them at court.

"We have learned that, in light of the strength of our submission, the Information Commissioner's Office has re-considered their original decision and has retracted their advice to disclose the material."

The Information Commissioner's Office said additional information supplied by police led to the reversed decision.

A spokesman said: "This was considered, alongside the complainant's information and evidence, and as a result the initial advice provided to Thames Valley Police was revised."

Peter Johnson, deputy editor of Converse said: "Of course there will be some people who misuse the legislation but that is not a reason to deny those who are fighting their convictions from having access to material which they, and their lawyers, believe is crucial to their appeal case.

"How ironic would it be if a piece of legislation heralded as the torchbearer of openness was itself used as a reason for hiding what may be unlawful police activity and investigation processes?"

"The Information Commissioner should not allow the tail to wag the dog but that is what seems to have happened here and it is a very worrying turn of events."

PCO IN COURT OVER PHONE SMUGGLING CLAIMS

Police suspect a south London Crown Court custody officer helped smuggle mobile phones and drugs into prisons.

Alan Redmond, 24, is accused of passing contraband to prisoners at Inner London Crown Court, in Southwark, south London.

He was held by investigators from the London Prison Anti-Corruption Team (LPACT) after a long-running inquiry. They believe the Serco employee was involved in smuggling at the court for four years until last December.

Redmond was arrested by a squad of officers as he arrived for work on December 10 last year.

A Metropolitan Police spokesman said Redmond, of Flint Street, Elephant and Castle, south-east London, has been charged with misconduct.

Hayley Turner, 30, of Chislehurst, Kent, has been charged with conspiring with Redmond to supply drugs and to smuggle prohibited items into prison.

A City of Westminster Magistrates' Court spokeswoman said the pair appeared earlier this week. They will face Southwark Crown Court on May 13.

A spokesman for Serco said: "I can confirm that a former member of Serco staff appeared in court.

"He was dismissed by our company following a police investigation. This is now a police matter and we are co-operating fully with the relevant authorities."

The prison anti-corruption team is a joint unit formed of Prison Service officials and officers from Scotland Yard's Economic and Specialist Crime Command.

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(Other speakers will be announced later and are subject to change)

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Jury Criticises Police Training Over Cell Death



Ineffective police training and communication between officers led to a failure to recognise the serious condition of a man who died in police custody, an inquest jury has found.

Paul Coker collapsed in a cell at Plumstead police station in south east London during the early hours of August 6, 2005.

The 32-year-old had earlier shouted: "I can't breathe, you're killing me" as officers detained him before his death.

During the seven-week inquest at Southwark Coroner's Court, the jury heard how police had been called to an argument between Mr Coker and his girlfriend Lucy Chadwick at her nearby home after he had taken cocaine and cannabis.

Her landlord and his sons alerted police to the disturbance and while she sat downstairs Ms Chadwick heard the footsteps of a number of officers go to the room which Mr Coker was refusing to leave.

She then heard him being taken away by officers. Delivering a narrative verdict today, the statement read out by the jury foreman said: "Mr Coker took cocaine on the night of August 5-6 at Waverley Crescent. Police were called because of a domestic disturbance. Mr Coker was lawfully arrested and restrained and taken to Plumstead Police Station where he was later pronounced dead at 6.45am on August 6, 2005."

The jury found the cause of death to be cocaine

intoxication with a variant of excited delirium/acute behavioural disorder.

In its written inquisition, it found the terms of police training and nature of Mr Coker's symptoms led to a failure by officers to recognise his condition.

In a statement the jury said: "We find there was inadequate pooling of information between police officers and failure to communicate effectively among police officers, designated detention officers (DDO) and forensic medical examiner. It is not possible to determine whether the outcome would have been affected.

It added: "Training provided to police and DDO did not reflect accurately the spectrum of symptoms presented by people suffering from excited delirium/acute behavioural disorder. The training over-emphasised the severity of the symptoms to be expected."

The jury also found the doctor did not carry out a timely and adequate assessment of Mr Coker and adequate instructions were not given to police staff by the doctor in respect of the care and observations of Mr Coker both before and after an ambulance was called.

Selena Lynch, assistant deputy coroner for the inner south London jurisdiction, told the hearing she would be writing to the London Ambulance Service, the Metropolitan Police Commissioner and the Faculty of Forensic Medicine, making a series of recommendations under rule 43.

She said the statement would outline "areas of concern" and make suggestions for possible changes.

The recommendations, she said, would touch upon training and guidance in relation to excited delirium, the use of police vehicles, grading 999 calls relating to cocaine intoxication and monitoring and observations.

Offering her sincere sympathy to the relatives of Mr Coker who sat in the inquest today, she said: "I hope lessons have been learned and continue to be learned in relation to Paul's death. If only one life is saved that will mean something has come from this tragedy."

At the beginning of the inquest, last month, Mr Coker's mother Patricia, 65, said her son was "no angel" but that after years of depression, substance abuse and run-ins with the law - including a prison

sentence for burglary - he was attempting to turn over a new leaf.

She described him as a "very attractive, charming young man", adding that he was "very intelligent" and wrote poetry.

Mrs Coker said his problems with the police stemmed from his use of crack cocaine and other drugs, but in the days before his death he was beginning to pull his life together and was about to move into a new flat and start a new job.

Commenting on today's inquest findings, an Independent Police Complaints Commission spokesperson said:

"The IPCC has conducted an independent investigation into the circumstances surrounding the death of Paul Coker.

"Our report was passed to the Coroner and other interested parties for use at the inquest. However, as there are outstanding misconduct matters to be dealt with, we will not be publishing our findings at this stage. When this process is complete, we will publish our findings."

After the hearing Mr Coker's mother, Patricia Coker, said in a statement: "This verdict is a condemnation of the failures of the police and the police doctor to care properly for my son when he was clearly very ill and in need of urgent medical attention.

"Had Paul been recognised as a medical emergency and taken straight to hospital there was a very good chance he would have survived and been with us today."

In a statement, the Metropolitan Police said: "The MPS wishes to extend its deepest regret to the Coker family. In view of what has been a prolonged inquest with distressing evidence we would like to record the dignified manner in which Paul's family have conducted themselves.

"In light of the conclusion of the inquest the MPS now wants to take time to reflect on the comments and decisions of the jury.

The Coroner has stated that she intends to write to the Commissioner with suggestions arising from the verdict which the MPS will consider.

"The MPS remains committed to improving the care of all detained persons and to ensuring police officers and staff receive adequate training to help identify all potential life threatening conditions.

"We once again extend our regrets to Paul's family."

Inmates Cannot Claim Compensation for Denial of Voting Rights

A group of prisoners who had threatened to sue the Government for compensation if prisoners are prevented from voting in the general election have been told their claim has no legal basis.

The "Association of Prisoners", which is believed to have less than a dozen members said that they wanted at least £1,000 for every offender in England and Wales refused voting rights - but legal sources said their claim was based on a complete misunderstanding of the law.

Five years ago the European Court of Human Rights ruled it was illegal for ministers to deny voting rights to all prisoners.

Since then the Government has held two public consultations on the issue but has not changed the law. Prison reform groups made a formal complaint to the Council of Europe accusing ministers of using delaying tactics.

Last year Justice Minister Michael Wills confirmed it was "unavoidable" that some inmates would be given voting rights.

A policy paper published in April suggested prisoners serving sentences of up to four years could be allowed to vote.

That would mean giving voting rights to around a third of the 84,000 currently in custody.

Frances Crook, director of the Howard league for Penal Reform, accused ministers of using the issue as a "political football".

"Prisoners are absolutely right to fight for their right to vote and I hope the change comes in before the next election," she said.

"Ministers have been avoiding this issue for far too long in a bid to look tough on crime, but prisoner voting shouldn't be used as a political football.

"Losing one's liberty is punishment in itself. The Government has a duty to encourage civic responsibility, particularly amongst marginalised groups."

A Ministry of Justice spokesman said: "The Human Rights Act does not limit Parliament's freedom to pass legislation.

"If primary legislation is incompatible with the ECHR, the domestic courts may make a declaration of incompatibility but the provisions remain in force.

"It is for Parliament to decide how to respond to that declaration, taking into account the UK's international obligations.

"Under the Human Rights Act, no damages are available in relation to the introduction, making or incompatibility of primary legislation."



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Venables: 'Will Not Be Charged'



differentiate between bad behaviour and serious wrongdoing.

"We do not intend to raise the age of criminal responsibility.

"It is not in the interests of justice, of victims, or the young people themselves, to prevent serious offending being challenged."

Tory frontbencher Ken Clarke, who was home secretary at the time of the

Bulger case, told BBC1's Andrew Marr show: "I think Venables should be allowed a fair trial on whatever it is he might be charged with, I do think we ought to have some common sense on this subject."

Criminal barrister Felicity Gerry, a specialist in prosecuting and defending child offenders, said current laws already required Crown Prosecution Service lawyers to first decide whether a child understood what they did was wrong.

She said: "My view is that there is no need to change the age of criminal responsibility providing that prosecutors are applying the proper tests in deciding whether or not to prosecute."

Until the late 1990s the law required proof that a child knew what they did was seriously wrong before a prosecution could take place.

Dr Atkinson told The Times yesterday: "The age of criminal responsibility in this country is 10 - that's too low, it should certainly be moved up to 12; in some European countries it is 14.

"The 'we are too worried about the parents issue' is something that runs like a thread through a number of cases. My constant song is 'listen to the children and young people'."

She said the killing was a "dreadful thing", and Venables and Thompson needed to be in a contained environment such as a youth justice facility and given programmes to help them turn their lives around.

Shadow justice secretary Dominic Grieve said: "Changing the age of criminal responsibility is not the answer. We need fundamental reform to address the causes of offending by children, including family breakdown, poverty, gang culture and school discipline."

Juliet Lyon, director of the Prison Reform Trust, said: "While we cannot expect justice on the hoof from jumpy politicians, after the general election it would be wise to review the age of criminal responsibility, taking into account standards set by the UN Convention and international comparisons."

Mr Straw has repeatedly refused to confirm the details of why Venables was returned to custody and has said only that he faces "very serious allegations".

Speculation is growing that James Bulger killer Jon Venables will escape prosecution for the breach which landed him back in jail.

Justice Secretary Jack Straw is being pushed by senior advisors to take the "easier option" of leaving the case in the hands of parole chiefs to stop "lurid details coming out in full Technicolor" should he appear in court, the News of the World reported.

Ministry of Justice sources said today that "no decision had been made" over prosecution for breaking his parole conditions.

It came as James's mother, Denise Fergus called for the Children's Commissioner to be sacked for "twisted and insensitive" comments about the murder of her two-year-old son.

She spoke out after Dr Maggie Atkinson said his killers should never have been prosecuted because they were too young to understand the full consequences of their actions.

The Government has ruled out Dr Atkinson's proposal to raise the age of criminal responsibility from 10 to 12 years, saying children aged 10 and over did know the difference between "bad behaviour and serious wrongdoing".

Dr Atkinson described the killing as "exceptionally unpleasant" but said it was wrong that Robert Thompson and Jon Venables, who were 10 in 1993 when they were charged with the boy's murder, were tried in an adult court.

Mrs Fergus told reporters: "This woman owes James and me an apology for her twisted and insensitive comments. Then she should resign or be sacked.

"To say that his killers should not have been tried in an adult court is stupid. They committed an adult crime - a cold-blooded murder that was planned and premeditated and they were tried accordingly." She added: "It is a shock to people like Dr Atkinson that children can be truly evil by 10. But it is a fact and I fear there will be more of them and we need laws to be tightened up so we can deal with them."

Dr Atkinson said children under the age of 12 should not be prosecuted for any crime.

But the Ministry of Justice responded by saying:

"We believe that children aged 10 and over can

Burglars 'Should Escape Jail' for Minimal Damage

Burglars should escape prison sentences if they cause only "minimal damage", sentencing advisers have said.

Community punishments should be the starting point for judges considering lower level offences, according to advice from the Sentencing Advisory Panel.

The panel also said drug and alcohol addicts who would otherwise be jailed for burglary should be handed community punishments if they showed they were trying break their addiction.

The guidelines state: "Even if an immediate custodial sentence would otherwise be warranted, in an attempt to break the cycle of addiction and offending it may sometimes be appropriate to impose a community order..."

Under the proposed sentencing guidelines, the starting point for the lowest level of offence would be a community sentence.

For more serious crimes, where the burglar used violence or stole treasured possessions, the average sentence should be a year in prison, and for the most serious offences two years.

The panel gives advice to the Sentencing Guidelines Council, which is chaired by Lord Judge, the Lord Chief Justice.

From next month both bodies will be abolished and replaced by a Sentencing Council which will set rules for judges on appropriate punishments.

Last year Lord Judge ordered the courts to hand out tougher terms to burglars, saying homes should be our "safest refuge".

Rejecting appeals against jail terms for a group of

burglars, he said the courts should recognise the trauma caused to the victim.

Of the 23,651 burglars jailed in 2008, around 40% were given immediate jail terms. Nearly 10,000 were handed community punishments.

A Ministry of Justice spokesman said the advice was the first stage in the process of drawing up



guidelines, and sentences given in court would not change as a result.

"The independent Sentencing Advisory Panel have simply published their advice to the new Sentencing Council - any final decision will be for the Sentencing Council," he said.

"The Government takes domestic burglary very seriously and believes that sentences should reflect the trauma suffered by victims.

"That is why burglars now face up to 14 years in prison, and a starting point of three years in custody for a 'third strike'."

While prison remained the "right place" for the most serious offenders, he added, in some cases a "tough" community sentence with a "long-term and demanding" drug rehabilitation order could be more effective.

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'We're Not Answerable To You'

Three Labour MPs and a Conservative peer told a judge they will use a 320-year-old law to argue they should not be prosecuted over the expenses scandal.

MPs David Chaytor, Elliot Morley (right) and Jim Devine, along with Lord Hanningfield, will insist their case should not be tried by a jury and instead dealt with by House of Commons authorities.

In an unprecedented hearing at City of Westminster Magistrates' Court, all four Parliamentarians said they would plead not guilty to fiddling claims for allowances.

The MPs asked to be excused from standing in the secure glass dock at the back of the court - but their request was refused.

District Judge Timothy Workman agreed the case was so serious it should be heard at a higher court and released the four defendants on unconditional bail to appear at Southwark Crown Court on March 30.

If convicted, they face a maximum sentence of seven years in prison.

Barrister Julian Knowles, for the MPs, told the court they would argue they were protected by parliamentary privilege, covered in the 1689 Bill of Rights.

"My clients should not be understood as saying that they are above the law - that would be quite wrong," he said.

"Parliamentary privilege is part of the law - and it is for Parliament to apply the law in their cases."

He said the case was of "high constitutional



importance" but added the criminal courts had "no jurisdiction" over them.

"Proceedings in Parliament cannot be impeached or questioned in any court or place outside Parliament," he said.

Addressing a court packed with journalists and members of the public, he stressed the men denied any wrong-doing.

"They unequivocally and steadfastly maintain their innocence," he said.

In a separate hearing immediately after the MPs', the court was told Hanningfield would also argue he was covered by Parliamentary privilege.

His lawyer Rupert Bowers said he would deny charges of wrongly claiming for "repayment of travelling and other expenses".

The three MPs and peer left court without commenting where they were mobbed by the media and a handful of protesters chanting "give us our money back", "pigs" and "oink, oink".

In a statement, Hanningfield said he was "devastated" at the proceedings.

His spokesman Mark Spragg said: "He is devastated to be in this position. He feels he has been singled out. He does not believe he has done anything dishonest."

Bury North MP Chaytor, 60, of Todmorden, Lancashire, is accused of falsely claiming rent on a London flat he owned, falsely filing invoices for IT work and renting a property from his mother, against regulations.

Scunthorpe MP Morley, 57, of Winterton, North Lincolnshire, allegedly falsely claimed £30,428 in interest payments between 2004 and 2007 towards a mortgage on his home he had already paid off.

Livingston MP Devine, 56, of Bathgate, West Lothian, is said to have wrongly submitted two invoices worth a total of £5,505 for services provided by Armstrong Printing Limited.

He also faces a second charge alleging he dishonestly claimed cleaning and maintenance costs of £3,240 by submitting false invoices from Tom O'Donnell Hygiene and Cleaning Services.

Hanningfield, also known as Paul White, 69, of West Hanningfield, near Chelmsford, Essex, faced six charges of making dishonest claims for travelling allowances.

Each charge claimed the former leader of Essex County Council "purported to show that you were entitled to be paid expenses when the conditions entitling you to payment of such expenses had not been fulfilled".

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“Appalling Conditions” at Glen Parva Says IMB Prisons Watchdog

Three residential units at a young offender's institution in Leicestershire are in an "appalling" condition, a prisons watchdog has said.

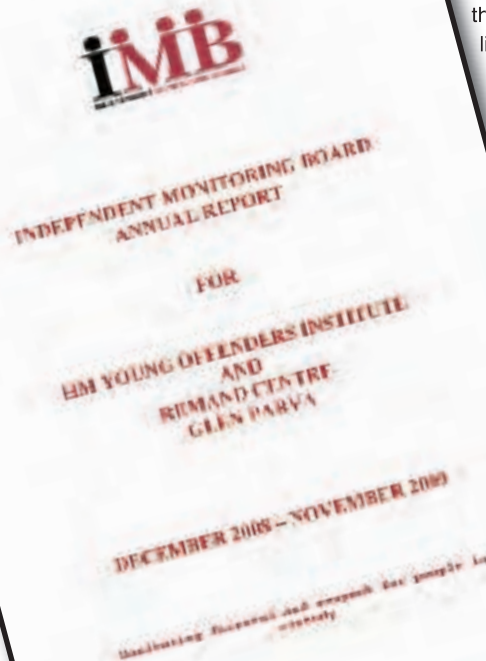
The Independent Monitoring Board for Glen Parva Young Offenders Institution in Leicester said the accommodation section is in a poor state of repair, such as having leaks coming from plumbing in cell toilets.

Its report, which covers December 2008 to November 2009, said the YOI was operating "within the confines of a sprawling campus of largely shabby buildings particularly in the north end, which continue to degrade over time, despite the best efforts of the management and staff to maintain a reasonable, respectable and clean environment for the prisoners".

Conditions in Glen Parva's north end - five residential units built in the 1970s by prison labour - are "unacceptable" for both detainees and staff.

The IMB report said: "The three remaining occupied units making up the north end are in an appalling condition with nearly all windows servicing the toilet area either sealed off or left with no glass. The most concerning element is the plumbing for the integral toilets that runs down the inside of the buildings and is accessed by cupboards outside every cell. These are in a very poor state of repair resulting in water residue seeping through the walls and a horrible smell that fills the corridors and cells on regular occasions."

The report, published on February 12, said "major improvement" is needed at the institution, which holds a mix of remand, unsentenced and convicted men aged 18 to 21. It also criticised the lengthy waiting time for detainee dental treatment and slammed plans for partial closure of its hospital's inpatients department.



The board recognised some improvements and said the prison's chaplaincy gives "excellent support".

IMB chair John Schatz said although the units apparently did not breach any health and safety rules, he did not think it was right that anyone was living in the conditions.

He said: "Appalling to one person may not be appalling to another but if you walk round and think, 'I am a reasonably sane human being', it just doesn't seem right that anybody should be living in those conditions, whether they are prisoners or otherwise."

"They have been sentenced by loss of their liberty. Beyond that they need to be treated in a humane and reasonable manner."

Glen Parva governor Michael Wood said: "I accept that some accommodation requires refurbishment."

The prison's estates department work tirelessly to maintain conditions to a satisfactory level. All cells are certified as fit for purpose and any that are considered not to be taken out of commission."

The Chief Inspector of Prisons last visited Glen Parva in 2007 when she too made the point about poor conditions.

She said in her previous inspection in 2004 the segregation unit was 'filthy' and in 2007 she remarked that "the segregation unit was still grubby... and the environment remained in need of refurbishment and better cleaning."

The latest embarrassing report by the establishment's IMB suggests that despite numerous occasions where the poor conditions have been pointed out to the Ministry of Justice and NOMS, little or nothing seems to have been done to correct the issue.

Kenny Richey Back in Court



A Briton who spent two decades on death row in America has denied hitting his son with a baseball bat during an alleged assault in the US.

wrestling playfully.

A court official last night confirmed Kenny Richey pleaded not guilty to all charges and a hearing would now be held on March 8.

Richey returned to Scotland in January 2008 after 21 years in a US prison awaiting execution.

He was put on death row in January 1987 after being convicted of an arson attack in which a two-year-old girl died. The former marine, who was born to a Scottish mother and American father, was freed after reaching a plea deal in 2007 with US prosecutors.

He set up home in Edinburgh but spent around seven months in custody awaiting trial for an alleged assault and robbery in July 2008.

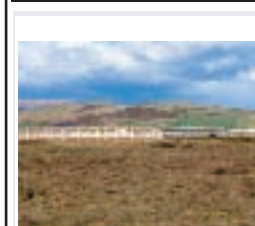
The charges were dropped when the case was heard at the High Court in Paisley. Richey admitted a breach of the peace by threatening court officials at an earlier hearing but was freed by the judge, who said he had suffered enough.

Kenny Richey, 45, was arrested near a house where his son Sean Richey lived in the town of Baxter, Minnesota, on January 6.

Papers from Crow Wing District Court show Kenny Richey was charged with second degree assault, making threats and domestic assault. He was released on bail.

According to the court papers, Sean Richey told police his father grew angry, threatened him and attacked him after the pair had been drinking beer and

Haverigg Widow in Six Figure Pay Out



A widower from Cumbria whose prison officer wife died after

were looking at was not the one he had just taken, but the one which had been taken two years previously at West Cumberland Hospital. He said radiographers had missed the tumour that I had managed to identify."

In April 2004, Mrs Clark was admitted to hospital to have two thirds of her lung removed. Although she was reasonably well for a couple of weeks after the surgery, she developed pains in her chest and began to deteriorate. She began radiotherapy in June but from that point was in and out of hospital and became increasingly frail. She died in hospital in August 2004.

Mr Clark, paid tribute to his wife, saying: "Fiona showed unbelievable courage throughout her illness. Even on the occasions when she had just had surgery, she was up and about and trying to exercise. She was always a very active person, full of energy and life and she must have found it very difficult to come to terms with the dramatic change in lifestyle she was forced to undergo because of the illness - but she never complained. Fiona was positive until the end and remained a committed Christian. I miss her every day."

Paul Sankey, who represented Mr Clark said: "This is a clear case of negligence. Although doctors noticed an abnormality on her scan, they failed to investigate it."

doctors failed to detect her lung cancer, has been awarded a six figure settlement by the NHS.

Fiona Clark, 42, from Whitehaven, was referred to West Cumberland Hospital for a chest X-ray in 2002 after suffering from a persistent cough. Although the X-ray showed an abnormality, Mrs Clark was advised that it was "nothing substantial."

Her cough persisted and in 2004, whilst on holiday, she began coughing blood. Mrs Clark, who worked as a prison officer at Haverigg Prison, visited her GP again she was referred to a cardiothoracic surgeon and had a further X-ray.

Her husband Stephen Clark, 50, a former engineer at Sellafield, said: "My wife's consultant, Mr Bernard, put an X-ray against the screen for us to look at. He asked me what I could see. I pointed out a clear kidney shaped shadow on the right lung. He said I was right and broke the devastating news that what we could see was a cancerous tumour."

"He then revealed that the X-ray we

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‘Sex Academy’ Teacher Jailed



A class supervisor at a school where a series of staff members admitted relationships with students has been sentenced to more than three years in jail for having under-age sex with a 15-year-old pupil.

Christopher Reen, 32, (right) is the fifth member of staff at Headlands School - nicknamed the Sex Academy - to have faced the courts in recent years in relation to inappropriate sexual conduct.

Reen, of Carlton Street, Bridlington, admitted six counts of sexual activity with a child under 16 at a hearing earlier this year. He also admitted one count of sexual activity in breach of trust.

Judge David Tremberg, sitting at Grimsby Crown Court, told the martial arts instructor he had "only yourself to blame" for his predicament.

He said: "Your behaviour undermines public confidence in the school system.

"Your behaviour has tarnished and damaged the

reputation at the school where you were then a master which was already tarnished by others.

"And also, your behaviour tarnished the proud and valuable reputation and work of your profession."

"It is important that the courts send out a message that teachers who are inclined to act as you did will be locked up for years," he told him.

Reen, dressed in a dark suit and pink tie, looked close to tears and was shaking as the judge sentenced him to 40 months in jail.

He was also made subject to a stringent sexual offences prevention order which restricts his contact with young girls for an indefinite period of time.

The public gallery was packed with relatives of the victim and his own family as the case was outlined.

The court was told Reen bombarded the victim with sexually explicit text messages. He even sent the girl a message during a class which he was teaching and she was attending.

Reen started work as a cover supervisor at the school in June 2008 and replaced a teacher whose case was still going through the courts.

He was given a full induction when he began his job in which the deputy headteacher warned him about the previous problem at the school.

But the married father, whose wife was pregnant when he embarked on the relationship, began seeing the girl soon after she applied to join a martial arts club run by Reen.

The court was told the defendant had sex with the girl at his home when his wife was away but also at other locations.

Prosecuting, Helen Hendry said: "He knew she was 15 years old and knew she had filled in a date-of-birth form at the martial arts club. He knew she was a Year 10 pupil.

"He knew his predecessor was on police bail and had been suspended for having a sexual relationship with a pupil.

"He knew two previous members of staff were in prison for having relationships with other pupils.

"He had not just information provided to him - he had face-to-face meetings with the deputy head, he had one-to-one meetings with him on how he should behave with pupils and he had induction

and training courses.

"Despite all that history and guidance given to him, within a few weeks he had commenced a sexual relationship with (the girl)."

Police found evidence of 800 text messages or calls to the girl from Reen's mobile, between July 12 and October 8 2008, and on one occasion he sent the teenager a photograph of his genitals, the court heard.

Reen, who was 30 at the time, did not deny having a full sexual relationship with the girl but claimed he did not know she was under-age.

In mitigation, Anil Murray said his client was full of remorse and accepted that his actions had let down his family, the victim and the school involved.

He said the relationship was consensual but accepted his actions had a "significant impact on the people that he loves".

He said that, when Reen embarked on the relationship, he was under considerable personal pressure and he has sought help to address his problems.

Following the sentencing, Detective Inspector Kay Durrant said: "I would like to thank the victim for her immense courage throughout this investigation.

"It is a difficult time for any young person, being a

teenager and

growing up, and

adding this

incredibly upsetting

event into anyone's

life can have

shattering effects.

"Reen targeted a

vulnerable young

person and

groomed her into

having a sexual

relationship with

him. I hope he

reflects on his

actions with regret

and the victim and

her family can move

on with their lives.

"The sentence should reassure the victim and send a strong message to everyone that this sort of behaviour will not be tolerated.

"I would encourage not only teachers, but parents and young people to play their part and stay vigilant and report anything suspicious to the police or the local authority.

The family issued a statement following the sentencing: "I hope lessons will be learnt for our situation and therefore fewer families suffer the way we have.

"Schools are not an open playground for would-be sex offenders to groom and form sexual relationships with our children.

"We should feel safe and secure when leaving our children in a position of trust and hope this event will warn anyone planning on targeting our children, the police and schools do not tolerate this."

The statement added that they hoped "this sad event" would change people's opinions and educate students about the dangers of grooming including the use of Facebook and other social networking sites.

It concluded: "My daughter and the rest of my family are happy with today's sentence and we hope to now start rebuilding our lives."



“Nightmare Dad” Jailed for Horror Child Murder



A 'nightmare Dad who murdered his six-week-old daughter in Cambridgeshire has been jailed for life.

Olusola Akinrele, 34, (above) was told he must serve at least 16 years in prison for killing Leeya in December 2006.

The baby died from brain damage 12 days after her lifeless body was found at her home in Whittlesey.

In the three weeks before she was found she had sustained 22 broken ribs, a fractured skull

and a fractured thigh. She had also been bitten on the nose and on both hands, the Old Bailey heard.

Judge Philip Clegg said that "when she was not asleep, Leeya must have been in excruciating pain".

He said Akinrele had "little or no interest in his

“You caused this defenceless six week old child to sustain 22 broken ribs, a fractured skull, and a fractured thigh, you had also bitten her on both hands and on her nose - when she was not asleep she must have been in excruciating pain”

daughter". The killer, who is from Nigeria, was told: "You simply saw her birth as something which might help you avoid deportation."

A psychiatric report described Akinrele as "a very manipulative individual with clear psychopathic traits".

He was convicted of murder by a jury at Ipswich Crown Court

and will be deported at the end of his sentence.

Leeya's mother, 22-year-old Kelly Inman,

(above) had earlier pleaded guilty to allowing

the child's death and failing to report the injuries

that the child was sustaining but she was

cleared of murder during the trial.

She received a total sentence of five years,

having also been convicted of a separate fraud

charge. Inman told police that Akinrele was a

'nightmare dad'



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Adjudications and MDT: Your Rights

Dorcas Yussuf, Solicitor and Head of Prison Law at Dorcas Funmi Solicitors, Catches Up On Your Legal Rights

In view of the large number of mandatory drug testing (MDT) adjudications which are conducted each year and the rising number of complaints being raised by prisoners about MDT issues, a clear approach should be taken where prisoners dispute the test results and/or wish to question the laboratory scientist or any other witness in the Disciplinary Hearing.

Once a prisoner is issued with a screening certificate stating that his urine had tested positive for controlled drugs, a disciplinary hearing would be commenced. The prisoner can request for legal representation and the attendance of the examining scientist, and the hearing will be adjourned to enable a confirmation test to be carried out.

Rule 6.99 of the Prison Discipline Manual states:

"At the start of a hearing, if the accused enters an unequivocal plea of guilty the adjudicator may proceed on that basis. If he or she pleads not guilty or equivocates over a plea the hearing should be adjourned and the sample sent for a secondary, confirmation, test. At a resumed hearing the result of the latter test must be admitted as evidence. If the accused contests the results of the of the confirmation test he or she may ask for the relevant laboratory scientist to attend as a witness and ask questions on the evidence. Further, the prisoner may arrange for an independent analysis of his or her sample (part of which will have been retained under mandatory drug testing procedures) and submit the results in evidence."

It follows that if the adjudicator adjourns the hearing to enable a confirmation test to be carried out on the sample, and at the resumption of the hearing, the confirmation certificate certifies that there are traces of substances in the prisoner's urine consistent with the abuse of controlled drugs but the prisoner maintains that he had not knowingly taken any controlled drug, the prisoner can request that the laboratory scientist be called to give evidence on four matters namely:

1. The general accuracy of the testing procedure
2. The procedural differences between the screening test and the confirmation test.
3. The level of the substances in the test, and

4. Whether any other person had access to the sample and how it had been stored."

If the adjudicator refuses to grant the prisoner's request for an adjournment for the purpose of the independent analysis of his sample, and he is found guilty, he can request a Judicial Review on the basis that the adjudication was flawed in view of the fact that the confirmation certificate is hearsay. For the inmate who pleads not guilty, a finding of guilt based solely on the confirmation certificate which is a hearsay evidence would clearly be unsafe.

In the case of R v Governor of HM Prison Swaleside ex parte Wynter 1998 EWHC Admin 535, it was held that the confirmation certificate in mandatory drug test cases is admissible as hearsay evidence.

Prisoners cannot appeal against a finding of guilt where the adjudication was heard by an Independent Adjudicator hence Appeals are limited to a review of the punishment awarded, unless it is considered that a Judicial Review of the decision should be pursued.

Applications for review may be set out on a blank piece of paper or in the form of a letter. Any appeal must be made within 14 days of completion of the adjudication, and the basis of the appeal must be sent initially to the Governor or Director setting out detailed reasons.

When the Governor receives the application, he will send it to the Secretariat at the Chief Magistrates Office, City of Westminster Magistrates Court, 70 Horseferry Road, London SW1P 2AX with the 'nicking sheet', the record of the hearing, and any wing reports from the adjudication. Applications received out of time will only be considered if exceptional circumstances exist.

The review will be conducted on the papers alone and will be considered by the Senior District Judge (or deputy) who may:-

- a. uphold the punishment
- b. reduce the number of additional days
- c. substitute a less severe punishment
- d. quash the punishment entirely.

If the punishment is upheld on appeal, it is open to the prisoner to make a complaint to the Prisons Ombudsman within one month.

The fairness of the disciplinary process is fundamental to the stability of the organisation and the wellbeing of the inmates hence any departure from fairness and natural justice within the disciplinary process should be challenged.

* Dorcas Yussuf is head of the Prison Law department at Dorcas Funmi & Co Solicitors, 12 Brook St, Erith, Kent. DA8 1JQ. Tel: 01322 335005

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Officers 'Need Stab Vests' Says POA



The chairman of the Prison Officers Association (POA) has called for stab vests to be routinely issued to his members after three officers were assaulted by an inmate using a shard of glass in County Durham.

Colin Moses (above) said the attack at Frankland jail on Saturday morning highlighted the degree of violence prison officers faced on a daily basis. He also called for glass bottles to be banned inside the country's jails.

The three officers, one woman and two male officers

and all aged in their early 30s, were attacked by an inmate with the weapon at the G Wing of the Category A prison.

One male officer suffered an arterial bleed from an arm injury and was fortunate to survive the attack, the POA said. The female officer was stabbed in the back, while the third male officer was slashed across the face as

he rugby-tackled the prisoner. One of the officers was kept in hospital overnight.

Mr Moses, national chairman of the Prison Officers Association, called on the Prison Service to issue stab vests to his members.

He said: "One again this shows the violence in our prisons. We would like to see the Prison Service adopt a zero tolerance to violence. This could have been prevented by stab vests, stab vests which they (Prison Service) flatly refuse to issue.

"I would also like to see a real investigation, not a whitewash as to why after years of complaining from prison officers and the POA they still use glass in prisons. This highlights the violence that prison officers face on a daily basis. We want something done. Instead of Jack Straw looking at the welfare of prisoners, he should be looking at the welfare of prison officers."

A Ministry of Justice spokesperson said: "Three prison officers at HMP Frankland were injured on Saturday March 13 in an incident involving a prisoner. All three officers were taken to hospital. The incident is now subject to a police investigation. Violence in prisons is not tolerated in any form. Assaults on prison staff are taken very seriously and depending on the severity will be dealt with internally or referred to the police."



Durham Police said an investigation into the attack was launched and detectives visited the prison over the weekend. The prison holds 700 prisoners, including some of the country's most violent inmates.

An inspection in February 2008 revealed the prison "holds some extremely challenging prisoners: those with affiliations to gangs or a history of extreme violence, those convicted of serious sexual offences, a few with convictions for terrorist offences and some with severe personality disorders".

Prison Project Cuts Re-Offending Rates By 40%



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A London prisons project cut re-offending rates by 40%, saving the taxpayer more than £10 million, according to a report published last week.

St Giles Trust's Through the Gates programme, which cost £1 million to run, provided intensive, one-on-one support to more than 1,500 people leaving prison.

An independent study, carried out by economics consultancy Frontier Economics through charity Pro Bono Economics, concluded that the programme offered "outstanding value for money to society". The report, found that for every £1 spent there was a return of £10 in terms of the savings associated with reduced re-offending.

The London Probation-funded programme, which started in July 2008, offered support to prison leavers returning to London, helping with the transition from custody to community.

It worked with individuals from prisons across the UK returning to 14 London boroughs. During the 16 months it was running, it housed more than 1,000 prison leavers and assisted many more with other issues such as sorting finances, finding employment and accessing other services.

The caseworkers, many of whom were themselves reformed ex-prisoners, provided the support in the early days after release, which is when the risk of

re-offending is highest, St Giles Trust said.

St Giles Trust now hopes that similar schemes will be rolled out nationally, providing the opportunity to make a real impact on re-offending.

The report received the backing of Dragons' Den star Theo Paphitis, who is an advocate of the work of St Giles Trust.

He said: "Crime is a huge burden on society, both in financial and human terms.

"People leaving prison have to overcome many barriers to get their lives back on track and leave their old ways behind.

"St Giles Trust have a real solution to address this problem, which affects the lives of so many people in the UK."

Rob Owen, chief executive of St Giles Trust, said: "Through the Gates was a phenomenal success and offers a beacon of hope in the drive to tackle re-offending.

"This research shows that investing in Through the Gates is a positive investment for society as a whole.

"Aside from the savings in the public purse, it reduces the misery that crime brings to the victims, the perpetrators and families of both.

"By working closely in partnership with London Probation, we turned around 100's of lives.

"Through the Gates offers a model of good practice which could be replicated in other areas of the country."

Lord Phillips, president of the Supreme Court and patron of St Giles Trust, said: "Many judges see the same offenders entering and leaving prison on a regular basis, at great cost to that individual, their victims, their families and society as a whole.

"St Giles Trust's Through the Gates service helps break this destructive cycle and instead sets in motion a wholly constructive one, helping individuals reform, become productive members of society and positive role models for their families. "Anyone who is interested in bringing down rates of re-offending should take a closer look at this work."

A spokesperson from Pro Bono Economics said: "Through the Gates is the first report initiated and supported by Pro Bono Economics. "Volunteering their skills to help charities is not the norm for economists. As this report demonstrates, a lot of good can be achieved by economists lending a hand with a spreadsheet rather than

a paintbrush.

"We hope the report will play its part in building greater understanding and appreciation of the work of St Giles Trust."

St Giles Trust aims to break the cycle of re-offending and create safer communities. For more information visit www.stgilestrust.org.uk.

For more information contact"

St Giles Trust, 64-68 Camberwell Church Street London SE5 8JB

Telephone: 020 7703 7000



Bulger Killers 'Not Evil' Says Minister



James Bulger's killers were not "intrinsically evil", Ed Balls said today, as he waded into the row over trying youngsters in adult courts.

The Schools Secretary said the Children's Commissioner's comments about the two-year-old's murder were "ill-advised".

Dr Maggie Atkinson described the killing at the weekend as "exceptionally unpleasant" but said it was wrong that Jon Venables and Robert Thompson, who were 10 in 1993 when they were charged with the boy's murder, were tried in an adult court.

She called for the age of criminal responsibility to be raised to 12, and her comments were condemned by James's mother Denise Fergus as "twisted and insensitive".

Reacting today, Mr Balls said he "disagreed" with Dr Atkinson's comments, but insisted she was independent of Government and it was her job to stand up for children and young people.

Referring to Mrs Fergus as Mrs Bulger, Mr Balls said: "I thought it was ill advised, not just for Mrs Bulger but for many people, the scars of what was done to James Bulger are very deep."

He said there needs to be criminal proceedings in place for children.

"In this case my sympathies are with Mrs Bulger, not the Children's Commissioner," he said.

Mr Balls did say he agreed with Dr Atkinson about labelling children as "evil."

"I think we have to be very careful about labelling any child as intrinsically evil. Children are very affected by what happens to them as they are growing up."

"I think what they did to James Bulger was evil, but I'm not willing to say the children were intrinsically evil."

Mr Balls said he believes in rehabilitation and helping a child to change and giving them a second chance.

It came after Baroness Butler-Sloss, the retired president of the High Court's family division, said the public would never accept 10-year-old murderers escaping punishment.

Speaking to The Times, Lady Butler-Sloss, who

granted Venables and Robert Thompson new identities after their release from prison, said: "I would like to see a much more effective approach towards dealing with the 10 and 11-year-old serious offenders without putting them necessarily into secure accommodation."

She added: "I do not believe the public will, at the moment, stand for murderers of 10 years old being treated as if they are children and not having to face punishment.

"The way I would like to go forward is to keep it as it is for the moment, because of public opinion, but to make it much more difficult to send such children to prison."

The Government has already ruled out Dr Atkinson's proposal to raise the age of criminal responsibility from 10 to 12 years, saying children aged 10 and over do know the difference between "bad behaviour and serious wrongdoing".

Dr Atkinson described the killing as "exceptionally unpleasant" but said it was wrong that Thompson and Venables, who were 10 in 1993 when they were charged with the boy's murder, were tried in an adult court.

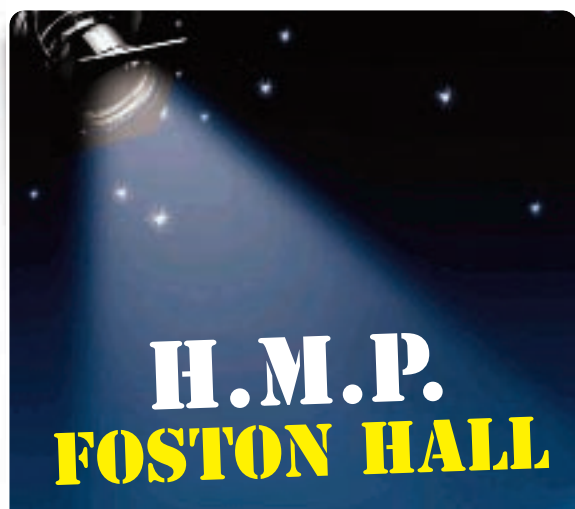
Responding to the comments, Mrs Fergus called for the commissioner to be sacked, saying: "This woman owes James and me an apology for her twisted and insensitive comments. Then she should resign or be sacked.

"To say that his killers should not have been tried in an adult court is stupid. They committed an adult crime - a cold-blooded murder that was planned and premeditated and they were tried accordingly."

Mrs Fergus added: "It is a shock to people like Dr Atkinson that children can be truly evil by 10.

"But it is a fact and I fear there will be more of them and we need laws to be tightened up so we can deal with them."





Spotlight on HMP FOSTON HALL

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unlock and association. 1545 tea and supper issue. 1645 lock up. Friday and weekends – no evening association.

ACCOMMODATION & FACILITIES: Five convicted residential wings, A, B, D, E and a VTU, giving a Mixture of shared cellular, small, multi-occupancy rooms and three wings of single rooms with en suite, shower and toilet facilities, and mains power. A Remand Centre, comprising two Units, provides 80 single rooms, one of which is a disabled room – and a dedicated young women's unit holding 16 under 18 Year olds. This gives a total of eight wings.

TOSCANA UNIT: The Toscana Unit has its own dedicated multi-agency team comprising education, Youth Offender workers, nurses, substance misuse staff and a Forensic Psychologist. Prison Officers are specifically recruited to work as Personal Officers with this age group and all staff received Juvenile specific training. The Unit operates to a Service Level Agreement with the Youth Justice Board.

PRISON SHOP: Contracted out to DHL. Goods are issued once a week using a bagging system. Includes catalogue items (Argos Additions, Avon and M&M).

VISITS: How to get there. By train to Burton upon Trent, Tutbury/Hatton or Uttoxeter. Arriva Midlands North Bus 1 To Foston. Trent Bus V1 from Derby to Hatton and Arriva Midlands North Bus 1 to Foston. By road: M1 to A50. M6 to A50, signposted on A50 to Derby and Uttoxeter, beware sharp turn to slip road. **VISITING TIMES:** Convicted: 1400 – 1600 hours Tuesday, Wednesday, Friday, Saturday and Sunday. Pre-Book all visits: book all visits 48 hours in advance on 01283 584357, Or on line at: Social Visits, FostonHall@hmpr.gsi.gov.uk Toscana Unit visiting times are by prior arrangement following safeguarding approval by the Youth Offending Team – Booking telephone number 01283 584437 Monday to Friday day times. Weekend and evening telephone number for enquiries 01283 584395. Remand: 0930 – 1130 hours Friday and Saturday; 1400 – 1600 hours Monday and Thursday. Legal: 0930 – 1030 hours and 1030 – 1130 hours. These visits are available on Tuesday and Thursday mornings and are available for Legal visitors including solicitors, also social workers and any

other visit which does not class as a domestic visit. You can book on line at:

Legal Visits, FostonHall@hmpr.gsi.gov.uk.

Visits do not take place on Christmas Day, Boxing Day and Good Friday.

A Video Court/Video Conference facility is now available – Monday and Wednesday mornings or by prior arrangement/booking. Notes: No staffed Visitors Centre, but a main waiting area with vending machines. No smoking. Small unsupervised children's play area – this is in sight of all visitors. Children's visits are held every third week on Sundays and on the weekends before and after Christmas. Children are left in the company of their mother and are able to spend time in a range of activities which include eating lunch and then rejoin main visits in the afternoon.

LEARNING & SKILLS: Contracted out to City College Manchester. Open 5 days/wk, 50 wks/yr with 8 x f/t and 13 x p/t staff. 3 Evening classes 1 night per week. OU. F/t and H/t places: 30; p/t places 30. Classes in Art and Craft, Small Business Workshop, Customer Service, Cookery, Creative Writing, Hairdressing, ICT, Interpersonal Skills, Personal Budgeting and money management, Literacy, Numeracy, Textiles, Vehicle Maintenance in The Toyota sponsored workshop, Open and Distance Learning. On the Remand Centre: Basic Skills (Literacy and Numeracy), Computer Aided Learning, Art and Card making. Over the last five years, Foston Hall women's prison has changed from being a small training prison for sentenced women to a multi-purpose prison, holding remanded and unsentenced prisoners and those serving short, long and indeterminate sentences, in addition to a small separate juvenile unit. This report covers the adult women's prison.

WORKSHOPS: Gardens Horticulture NVQ Levels 1 and 2, 9352 Horticultural Skills, BICSc Stage 1, 2 and 3 Industrial Cleaning, Kitchen, NVQ Levels 1 and 2 Hairdressing, Sewing Workshop, Gym, Reception, Orderlies, Wing Cleaners. Labour Board weekly. Avge pay £7.50. Most work places offer nationally recognised qualifications including NVQ. **GYMNASIUM & SPORTS:** Fitness Suite with modern machines and variety of Free Weights. New, purpose-built Gym opened 2001. Access as per PE programme which caters for all inmates daily and 5 evening classes. Community Sports Leaders

Award, British Weight Lifting Association Leaders Award, Fitness Fanatics Course, English Basketball Association Leaders Award, English Basketball Association Apprentice Referee, Fitness Instructor Level 2, FA "Basic Treatment and Management of Injuries" Award, NVQ in Sport and Recreation, First Aid at Work, Manual Handling and Lifting and Lifting Instructors Course, Heartstart and Aerobics.

FOOD: Meals in association or cell. Pre-select menu, with four-week menu cycle. NVQ will come on stream during 2005, kitchen party of 11 x 2 (11 in the morning and 11 in the afternoon)

ESTABLISHMENT REPORTS: HMCIP MARCH 2010. Previous reports have noted that the prison had experienced difficulty in integrating and providing services for its new unsentenced and short-term population.

Though there had been some improvements in provision, this inspection still found that there was a degree of unnecessary separation and duplication in the services provided for the two populations. The consequence was that remanded and short-sentenced women still had poorer access to regime activities and appropriate resettlement services. Foston Hall remained essentially a safe prison, with little evidence of bullying. However, the arrangements for first night and induction, essential for a prison receiving women directly from court, were underdeveloped and confusing. Over the last two and a half years, the prison had experienced its first ever deaths in custody, a sign of the increased vulnerability of the

population. Action had been taken in response to recommendations, but case management of women at risk remained weak, and such women were sometimes inappropriately located in the segregation unit under constant watch.

Relationships in the prison were positive, and chaplaincy work strong. Though race relations work was good, foreign national women had insufficient support.

Aspects of the incentives scheme were inappropriate. Healthcare services were generally good, but the lack of any in-patient facility resulted in acutely mentally ill women being placed in segregation while they waited for some time for transfer to mental health facilities.

Women had sufficient time out of cell, and there was a wide range of education and training available. The education provision was of good quality, and there were some good quality work environments, though they did not all allow women to gain qualifications.

The opportunities for remanded women were, however, limited, and there were frequent disruptions to the regime. PE was understaffed and little promoted, with low participation rates.

Resettlement work was under-developed and did not meet the needs of the whole population. There were significant gaps: such as family support and drug and alcohol treatment programmes.

There had been no up-to-date needs analysis and there were no custody plans for remanded and short-sentenced women.

Foston Hall continued to provide a generally safe, respectful and active environment for the women held there. However, prison managers had still not entirely come to terms with its expanded role, and services and activities for remanded and short-sentenced women remain under-developed.

The physical separation of this population, behind a fence, emphasised and reinforced these differences. More needs to be done to ensure that all women are able to benefit from opportunities at Foston Hall and have access to appropriate resettlement services.

FOSTON, DERBYSHIRE, DE65 5DN.

Tel: 01283 584300. Fax: 01283 584301

Opened: 1997. CNA: 283. Op. Cap: 290

Cat: FEMALE CLOSED. Insig: FH.

Area: East Midlands

BACKGROUND: Foston Hall sits on the A50 between Derby and Uttoxeter in Derbyshire. It has a long history as a penal establishment, beginning life in 1953 when it first opened as a Junior Detention Centre. After several changes of role, it finally closed in September 1996. On 31 July 1997 Foston Hall was re-opened as a Female Establishment. Within the main perimeter fence are a remand centre holding 80 women, which serves Courts over a wide area of the Midlands and North Wales; a Juvenile unit for 16 young women and a convicted prison holding predominantly long-term women and up to 40 lifers.

KEY OFFICIALS:

Area Manager: Danny McAllister CBE

Governing Governor: Greg Riley-Smith

Healthcare Manager: Nicci Lanfear (Mrs)

Chaplain: Revd Helen Thake

Senior Probation Officer: Michael Dosanjh

Head of Learning and Skills: Mrs Amanda Antcliffe

IMB Chair: Mr Gordon Thornhill

MP: Mark Todd

REGIME: Week Days (Monday-Thursday): 0815 hours unlock, breakfast and medication. 0845 labour. 1145 cease labour, lunch/medication. 1230-1330 lock up. 1335 labour. 1645 cease labour. 1655 lock up. 1735 unlock, tea and association. 2045 lock up. Friday – as Monday to Friday but no labour during the afternoon and no association during the evening. Weekends: 0830 hours unlock, association. 1000 brunch. 1215 lock up. 1335



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EIGHT OFFICERS SUSPENDED OVER SMUGGLING CLAIMS

Eight prison officers have been suspended on suspicion of smuggling mobile phones into a top security jail in West Yorkshire, sources have said.

An investigation is under way at Wakefield jail, which holds some of the country's most dangerous offenders.

It was launched last October into an alleged phone racket at the category A jail.

West Yorkshire Police confirmed they are investigating the allegations but said no arrests have been made.

A spokesman said: "Police are liaising with prison authorities in relation to allegations against a number of members of staff and inquiries are ongoing."

Police said the allegations relate to offences under the Offender Management Act.

According to reports the officers face allegations of smuggling after mobile phones, top-up cards and receipts were found in a bag of sugar.

Wakefield is an all-male high-security prison and holds more than 700 inmates.

POLICE WATCHDOG TO INVESTIGATE BOOZED UP CONFESSION CLAIM

The police watchdog today said it would independently investigate claims that detectives gave a teenager cider so he would admit crimes he did not commit.

The Independent Police Complaints Commission (IPCC) has extended an investigation into the alleged treatment of Sean Wall, 17, by two detective constables from South Wales Police.

The watchdog was previously managing an inquiry by the force's professional standards department.

Wall was allegedly collected from a young offenders' institution, where he was awaiting sentence, and driven to the scene of other crimes in Cardiff.

His solicitor said he was bought cider and cigarettes so he would confess to the offences, some of which happened when he was in custody.

IPCC Commissioner for Wales Tom Davies said: "Some very specific complaints about the conduct of two detective constables have been made and so we initially decided that we would manage an investigation.

"I have now decided on terms of reference for the investigation that broaden its focus in a significant way to look at the wider question of what is known as 'taking into consideration' other crimes.

"It has been alleged that some of the offences that this young man has 'confessed' to so that they could be 'taken into consideration' by the court service were actually committed while he was in prison.

"This does raise questions about the effectiveness of this approach to detecting crime and whether it is open to abuse by individual police officers.

"I therefore also want the IPCC investigation to look at force policies and management oversight."

Wall was taken from Parc Prison, in Bridgend, by two officers on February 25, booked into police custody and returned the next day.

His solicitor Nadeem Majid said he was called on the night of February 25 when Wall was in police

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custody. He had his client breathalysed, which showed he was over the drink-drive limit some 14 hours after he was taken from Parc.

Mr Majid said: "He told me that he had been taken to his mum's and other family members' homes.

"I asked any other information that he wanted to give me and that's when I was told that he had been plied with alcohol and given cigarettes, and obviously that caused a huge amount of concern for me.

"I'm pleased that the decision has been taken to independently investigate this very serious matter and I hope the investigation reaches a conclusion fairly quickly."

BOFFINS RAKE IN THOUSANDS IN CASINO SCAM

Two computer contractors from south London used their insider knowledge to cheat casinos out of thousands of pounds by printing false winning betting slips.

The pair stole more than £33,000 by infiltrating software controlling remote betting machines covering live roulette wheels at four London casinos.

Croydon Crown Court heard they simply made the machines print out winning vouchers for sums of up to £600, whatever the outcome on the wheel.

But they were caught out when a sharp-eyed cashier realised a payout was impossible as only £10 had been wagered at odds of 35-1. Officials began an inquiry and quickly traced a string of suspicious wins back to the two contractors, who were employed as problem analysts.

Andrew Ashley, 30, and Nimesh Bhagat, 31, were handed 12-month prison sentences, suspended for two years, at court on Friday, the Metropolitan Police said.

Ashley, of Catford, south-east London, and Bhagat, of Balham, south-west London, each admitted an offence under the Theft Act 1968. The two men were ordered to undertake 200 hours of community service and pay back around £16,000 each, a police spokesman said.

The convictions are believed to be the first where people have been caught mishandling the computer technology behind Britain's gaming industry. They followed an inquiry by officers from Scotland Yard's clubs and vice unit into a series of transactions between July 2007 and September 2007.

The scam centred on remote betting terminals at casinos that enable customers to place bets without being at the roulette table. Those who make winning bets are given a printed ticket with details of their credit that can then be cashed. Detectives examined computers seized from the men's homes and looked at CCTV footage that placed the men at the terminals when the offences happened.

Detective Inspector Ann-Marie Waller said vigilant staff stopped the fraud before hundreds of thousands of pounds were lost.

She said: "These men not only used their intimate knowledge of two complex systems to break the law and make these fraudulent claims; they also breached the trust of their employers and any semblance of professional integrity."

£35M DRUG DEALER TO PAY BACK LESS THAN £200K

A drug dealer who benefited to the tune of £35 million from his part in a Bristol-based gang has been ordered to pay back less than £200,000.

Robert Brooks, 63, and his gang had a weekly turnover of hundreds of thousands of pounds. He is serving a 14 year sentence for cocaine supply.

He was back at the city's crown court for a hearing under the Proceeds of Crime Act, to learn how much a judge believed his illicit earnings to be. Financial investigators calculated that Brooks - whose team included a former Olympic judo star as

"enforcer" - made £35 million. But because Brooks has relatively little left to show for his work, Judge Simon Darwall-Smith declared his only "realisable assets" to be exactly £197,263 (and 61 pence). Those remaining assets include a share of a property in Manchester and £45,100 in cash officers seized from him during the investigation, codenamed Operation Malbec.

Under the Proceeds of Crime Act 2002 Brooks has six months to pay the full amount or he will have to serve an extra three years in prison. If he ever comes into a huge sum of money - for instance by winning the lottery - he will then have to foot the entire bill.

A force spokeswoman added: "Police in Avon and Somerset are sending out a clear message that crime doesn't pay and that drug dealers will be stripped of their proceeds of crime."

Co-defendant James Waithe, 47, who represented Barbados at the Olympics and England in the Commonwealth Games, worked as a debt-collector for the gangsters. He was given an indeterminate sentence earlier this year after conviction.

Brooks' cocaine crew also included local men Craig Rodel, 46, Luke Downes, 22, and Grant Richmond, who turned queen's evidence for a lesser sentence. At the height of his dealing Brooks, known as "Manchester Bob" made weekly trips to the city to buy high purity cocaine.

Richmond gave evidence during the gang's trial, saying the gang would handle up to £900,000 in cash weekly at their peak. Other confiscation hearings will take place later in the year.

81 YEAR OLD SEX OFFENDER GIVEN SUSPENDED SENTENCE

A pensioner who sexually assaulted a six-year-old girl in a pub has been given a suspended sentence.

Christopher McHardy, 81, a classical music fan who has served in the Navy, touched the child's genitals while her parents were playing pool nearby.

The pensioner, of Denton Road, Stevenage, was a regular customer at the town's Twin Foxes pub and the girl's parents had seen him there often.

They asked him to keep an eye on their daughter while they played a game of a pool at the pub last May, prosecutor Alex Krikler said. When they returned, she was sitting on his lap with her knickers and shorts lowered and she told them he had touched her. McHardy pleaded guilty in December to sexually assaulting a child under 13.

Previously of good character, he said in his police interview that he never used to be attracted to little girls but after his wife died in 1993 he found them "a breath of fresh air", Mr Krikler said.

He was given an eight-month prison sentence, suspended for 12 months. Passing sentence, Her Honour Judge Barbara Mensah told him: "You took advantage of (the child) and abused her and (her parents') trust in you in your conduct towards her.

"It's not difficult to imagine the impact it must have had on the mother and the father, if not on the child. She may have been only six but even six-year-olds can be distressed by this sort of behaviour."

McHardy's lawyer Maria Karaikos said her client felt "thoroughly ashamed" of what he had done, he was required to sign the sex offenders register and told to pay £200 towards the prosecution costs.

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Life-Long Sex Offender Registration Without Review: **UNLAWFUL**

The Supreme Court has rejected a Home Office challenge to rulings that it breaches the human rights of rapists and paedophiles to be on the sex offenders register for life with no chance of review.

Two convicted sex offenders went to the High Court in 2008 where three judges ruled that their "indefinite" registration with no right of review was "incompatible" with their rights to privacy.

This decision, won by a teenager referred to as JF, and 52-year-old Angus Thompson, was upheld by three judges at the Court of Appeal last year.

Now five Justices of the Supreme Court, the highest in the land, have unanimously dismissed the Home Office challenge and repeated the decision that the Sexual Offences Act was incompatible with the European Convention on Human Rights because it made no provision for individual review.

The President of the court, Lord Phillips, said: "The gravity of sex offences and the serious harm that is caused to those who suffer sexual abuse must weigh heavily in favour of a scheme designed to protect potential victims of such crimes."

Any convicted offender on the register has to notify the police of their personal details, any change of address and when they travel abroad.

Lord Phillips went on: "It is important, of course, that one should not allow revulsion to colour one's attitude to the measures necessary to curtail such criminal behaviour."

But he said any scheme which interferes with an individual's right to respect for his private and family life must be shown to be achieving its aim and not to be simply a penalty on the offender.

He said the notification requirements were justified and reasonable but if someone could demonstrate that they no longer posed any significant risk of committing a further sexual offence, there was no point in subjecting them to the interference with their rights.

It was obvious that there must be some circumstances in which an appropriate tribunal could reliably conclude that the risk of an individual carrying out a further sexual offence could be discounted, he said.

JF, now 18, was convicted of two offences of rape of a child under 13 and other sexual offences. He was aged 11 at the time of the assaults.

In October 2005 he was sentenced to 30 months' detention by Liverpool Crown Court and released on licence in January 2007.

Thompson, from Newcastle upon Tyne, was sentenced in November 1996 to five years' imprisonment on two counts of indecent assault on a female and other offences of actual bodily harm. Since being released in April 2000 he has not been in any trouble and is now in poor health after a series of heart attacks.

Phillip Noyes, director of strategy and development for the National Society for the Prevention of Cruelty to Children, commented: "The NSPCC believes that some offenders have committed such unspeakable crimes against children that it is right to put them on the sex offender register indefinitely."

"Following this ruling, we need to understand at what point and how frequently their registration will be reviewed and how a decision will be made that they no longer pose a significant risk to children."

"Our paramount concern is that children must never be put at risk from dangerous sex offenders."

Mark Leech editor of Converse said following the decision: "Such a statement as that made by the NSPCC goes without saying, but real protection of those at risk of sexual harm only comes when you take the emotion out of these debates."

"Protecting people from sexual harm is paramount, and it is not just children who have to be protected, it is everyone who is vulnerable to attack, be it lone females or the elderly, and sex offender registration is a fundamental part of that protection process."

"But we waste resources that could be better used tracking those who represent genuine risk of sexual offending if we are keeping tracks on everyone, including those who a review might disclose actually present little or no risk of reoffending because of changed attitudes as a result of treatment, or indeed simply due to old age or infirmity."

"Everyone has a right to justice, which requires that periodically a person's circumstances need to be

revisited, the situation needs to be reviewed, and let's not forget that this process of reassessing risk can result in greater controls being put in place where the review deems them necessary, just as much as they can be reduced where that is justified. "Without a review of the need for continuing sex offender registration we have no real idea whether the risk we are guarding children against has gone up, or down, and that cannot be fair or indeed safe to anyone - most of all potential victims."



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'Pussy Galore' IMB Phone Sex Gal Avoids Jail

An IMB Member convicted of Phone
Sex with Inmates avoids jail
sentence. **Page 10**

'Cruelty Cop' Had Previous

Jason Hanvey, Jailed for assaulting a
prisoner, had 'previous' for prisoner abuse.

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"We're Cowards" Parole Board Chair Admits Selfish Parole Decisions. **Page 21**

VIPA Conference 'Outstanding Success'

The sell-out Veterans in Prison
National Conference was a
huge success **Page 25**



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New Drug Classification System Needed Says Drugs Body

A new system to deal with harmful drugs should
be developed to replace the "inadequate"
classification system, it has been suggested.

The UK Drug Policy Commission, an independent
body set up in 2007 to analyse government drug
policy, has teamed up with think tank Demos to
launch a research project to explore alternative
approaches to the problem.

More than 600 compounds are controlled under the
Misuse of Drugs Act, which categorises drugs as class
A, B or C. But the legislation is almost 40 years old
and no longer capable of keeping up with the speed
at which new harmful drugs are developed and sold,
according to the organisations involved in the
project.

The UKDPC highlighted recent resignations of
members of the Advisory Council on the Misuse of
Drugs and the dispute over the decision to ban
mephedrone as examples of problems in the current
system.

The collaboration, funded with £50,000 from the A B
Charitable Trust, said it would look at different
methods for drug control by reviewing international
approaches and bringing together experts to study
the issue.

The project is expected to be completed by October,
with results published at the end of the year.

Roger Howard, chief executive of the UK Drug Policy
Commission, said: "The Commission has had a long
standing commitment to look at the drug control
system, to find better ways for government, and
other agencies, to deal with the harm caused by
drugs in our society.

"Through this unique collaboration with Demos we
hope to help formulate potential new drug control
processes that are 'fit for our time', so the strategic
capacity of the system to react to new threats is
improved and public, professional and scientific
confidence is renewed."

Jonathan Birdwell, lead Researcher at Demos, said:
"The furore about drugs like mephedrone has put
this issue in the spotlight.

"At the moment the policies we have to regulate
'legal highs' are totally inadequate for the problem.
"This project will get past the hype and focus on
what the evidence is, what the aims of policy should
be - and how to reach them."

A B Charitable Trust chairman Yves Bonavero said:
"We are delighted to announce this partnership that
is the first of its kind looking at innovative
approaches to drug control."

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Dental negligence. £28,000 Compensation

Are you a life sentenced prisoner? Has your tariff still not expired? As a life sentence prisoner there may be options for you in having your tariff reviewed and potentially reduced, writes Nicola Whitley of Swain and Co Solicitors.

SoS – review of minimum term

If your tariff was set before 18th December 2003 it would have been set by the Secretary of State, based on the recommendation made by the trial judge and the Lord Chief Justice.

After Law Reforms in 2003, this method of tariff setting was changed meaning that if your tariff was set by the Secretary of State you can apply to the High Court for a review of the minimum term.

For some people this review happens automatically but others need to apply to the High Court for a review.

The factors considered by the High Court are:

- (i) the term previously set,
- (ii) the judicial recommendations, and
- (iii) the guidance in Schedule 21 to CJA 2003 for current sentences.

The Court should also take into account your progress whilst in custody. This progress must be exceptional/outstanding to warrant a reduction in tariff.

Your tariff cannot be increased if set by the High Court, so what have you got to lose in applying? We can advise you on whether you fit the criteria and also assist you in making representations to the High Court.

HMP Detainees

After serving half of the minimum term, as an HMP Detainee you can apply for a review of your minimum term.

You need to make an application to the Public Protection Unit initially who will request the necessary paperwork through the Ministry of Justice. A dossier will be prepared by the prison, much like for a Parole Review.

Your application may then be passed to the High Court for review if it is considered that a reduction is justified.

The Court will consider whether your outlook and maturity have changed,

whether the original tariff was correct, and any exceptional progress.

Unfortunately, you have no right to an oral hearing but the team at Swain and Co can assist you in preparing representations for the review as well as assisting you with the process throughout.

Appeal against tariff

If you do not fall into either of the above categories there is no procedure for your tariff to be reviewed.

However, the minimum term can be appealed to the Court of Appeal.

The Court will consider whether the minimum term imposed was:

- (i) manifestly excessive;
- (ii) consider the aggravating and mitigating factors of the index offence
- (iii) and the tariff setting starting points that the Court should have followed

The Court of Appeal has the power to substitute a lower minimum term for the one originally imposed. At Swain and Co we can advise you on whether you can appeal against your tariff and what your prospects of success are, we also have a top Criminal Team who could assist if your matter is considered by the Court of Appeal.

Success at Swain & Co – representation at Governor Adjudications

We have recently represented an inmate serving an indeterminate sentence (IPP). He had a serious adjudication which was not referred to the Independent Adjudicator. As his legal representative, we requested that he be allowed legal representation before the Director of the prison (usually Governor) as per the Tarrant criteria and PSO 2000. This request was denied and the adjudication proceeded with legal representation and the inmate was found guilty.

The prison charged the same inmate with a further offence and, again, legal representation was not granted. We took this matter to the High Court and the decision was Judicially Reviewed. The Judge ordered that the inmate be allowed legal representation.

If you consider that your adjudication is serious enough that you need oral representations and it has been denied, please contact the Prison law team at Swain and Co for more advice.

Beat the Parole Board delays! Lifers re-categorised to D category without the Parole Board

The case of Guittard, which Swain and Co took to Judicial Review, has changed how the prison system progress life sentence prisoners through the system. It is now possible to be re-categorised to open conditions (D category) without needing to go through the Parole Board.

The Public Protection Casework Section (PPCS) of the Ministry of Justice now have to consider whether the following criteria are met, and whether the person's case is referred for a Minister to confirm a move to open conditions.

The criteria are:

1. The dossier needs to contain evidence of significant progress and having addressed all risk factors
2. All report writers agree the person should be moved to open conditions
3. There are no other areas of concern that need to be investigated
4. There is clearly a need to be transferred to open conditions in order to progress. If you think that you fit the above criteria, contact the Prison Law team at Swain & Co, and we will help you with written representations so that you can progress to open conditions without having to go through the lengthy process of waiting for the Parole Board to review your case.

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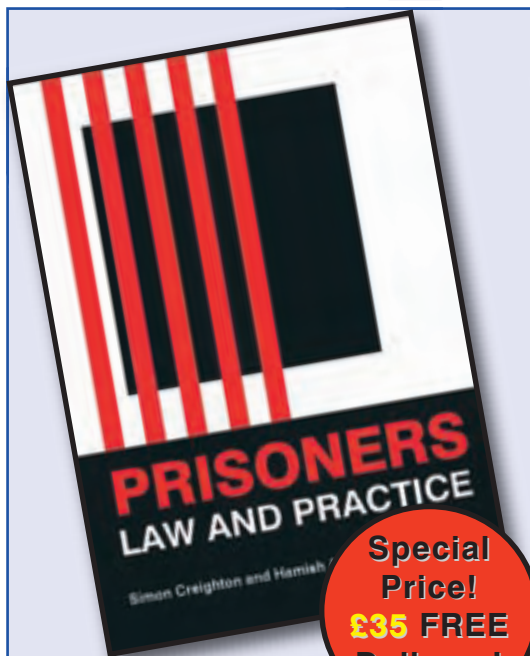
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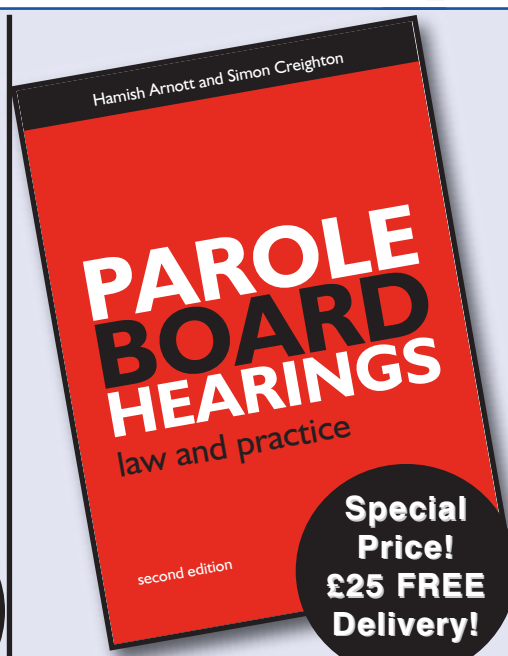
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Met Cop Demoted for Sabotage



A detective has been disciplined for attempting to sabotage one of London's most sensitive cases. Detective Sergeant Paul Steed (left), 49, was demoted after interfering with the Yard investigation into the murder of black teenager

of two charges and demoted.

A Metropolitan Police spokesman said: "An officer attended a misconduct board at which two breaches of conduct codes, lawful orders and performance of duties, were found proven. The officer was reduced in rank from a detective sergeant to a detective constable and was fined 13 days' pay.

"Fortunately the actions of this officer have not had any long-term impact on the review of the Stephen Lawrence murder investigation. Any allegation that an officer has not met the standards expected of them is taken very seriously and will be dealt with appropriately."

Stephen Lawrence.

Senior officers were aghast when they discovered the officer tampered with key dates and times on an evidence log.

The Sun newspaper reported the officer is suspected of acting out of spite after being told he would be taken off the inquiry.

Steed, of Greenhithe, was moved from the tight-knit team after getting involved in a punch-up in Spain.

Stephen, 18, was stabbed to death by a racist gang as he waited at a bus stop in Eltham, south-east London, on April 22, 1993.

Five men - Neil Acourt, his brother Jamie, David Norris, Gary Dobson and Luke Knight - remain the prime suspects. They denied murder. Three were acquitted of murder after a private prosecution brought by the Lawrence family collapsed at the Old Bailey in 1996.

An inquiry into the flawed police response accused the Met of "institutional racism" and proved to be a landmark in race relations. Stephen's mother Doreen was invited to Steed's disciplinary hearing, where he was found guilty



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Child Porn Cop Convicted of Sharing 100's of Indecent Images



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The IPCC, the police watchdog has welcomed the conviction of a police officer who shared hundreds of indecent images of children over the internet.

Detective Constable Michael Thomas, 40, used the screen name Oscarnovind2 to send and receive obscene images of children using free picture-sharing software.

A jury at Cardiff Crown Court found Thomas guilty after hearing he sent 253 images and received nearly 2,500 images between March and November 2007. Some 33 images sent and 456 received by

the Gwent Police officer were indecent, the court was told.

After the verdict, the Independent Police Complaints Commission (IPCC) said an American investigation identified a distributor in the West Midlands whose house was raided, revealing another user in Gwent.

The IPCC managed an investigation by Gwent Police after the force referred the case.

IPCC deputy chairman Len Jackson said: "The investigation was a remarkable piece of detection work that relied

on forensic computer experts and painstaking background work.

"The investigation examined in minute detail Thomas's working patterns over a considerable period of time to find proof that it was him accessing and distributing these vile indecent images of children when he was not at work.

"The forensic computing work was also crucial to proving that it was Thomas who had accessed and traded the indecent images after he had used software to wipe his computer clean."

He said an FBI special agent was assigned to help Gwent Police and to get warrants for obtaining information from US-based websites.

"Police officers are not above the law and the excellent investigation that Gwent Police carried out under IPCC management shows that rogue officers will be brought to account for their actions," he added.

No images were found on the married police officer's computer because an advanced file-wiping programme had deleted thousands of files hours before Thomas was arrested.

Thomas, of Lodge Drive, Port Talbot, South Wales, was part of a group of six men from around the country who were online "friends" using a facility operated by search engine Google, called Google Hello, to share the indecent pictures and chat online in real time.

Jim Davis, prosecuting, last month told the trial: "While Google Hello no doubt provided a useful facility for friends and family to share photos, it was a gift for those who wanted to share child pornography."

Thomas denied ever using the online alias Oscarnovind2 and pleaded not guilty to 11 counts of distributing indecent pictures of children, 10 counts of making indecent pictures of children and one count of possessing indecent pictures of children.

In a statement, Gwent Police said: "Gwent Police commenced a full and thorough investigation in November 2007 which involved liaison with West

Midlands Police, the Child Exploitation & Online Protection Centre (CEOP), the FBI and specialist officers from Gwent Police hi-tech crime unit.

"This resulted in evidence being gathered against Michael Thomas which has been presented to the court and has resulted in a guilty verdict today.

"Police officers, like all others, must face the consequences of their actions. It is our priority to protect and reassure communities in Gwent and we will take action against anyone involved in criminal activity, regardless of their position or status.

"Internal misconduct procedures will now commence with regards to Michael Thomas's position within Gwent Police."

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Jailed Cruelty Cop 'Had Previous'



A police constable who jailed for inflicting "deliberate cruelty" on a woman in custody was allowed to keep his job after a similar assault on a suspect 12 years ago because of his previous good character.

Pc Jason Hanvey, 37, (above) was jailed for 18 months for his "inexcusable" rough treatment of Amy Keigher, 19, as he pressed her face down on a desk and screamed: "Move and I'll rip your f***** skull off."

It emerged that he struck a male suspect in the face in similar circumstances at another police station but was merely reprimanded by Greater Manchester Police.

He was convicted of assault by magistrates in Manchester and then faced a disciplinary hearing

in February 1999 which was conducted personally by the then chief constable Sir David Wilmot. Sir David concluded the offence was "out of character" and that the suspect had contributed in some part to the incident, Manchester Crown Court heard. Sentencing Hanvey, of Dukinfield, Judge Anthony Gee QC said: "Somewhat remarkably, some may think, you were allowed to keep your job by the chief constable."

A jury saw CCTV footage of the serving officer of 15 years grab Miss Keigher by the hair and pull her handcuffs from behind her back and over her head. He then asked her to say "pretty please" to be released from his grip.

He also taunted her for being on benefits and that he earned far more money than she did.

Sgt Andrew Kennedy, 51, of Atherton, was also jailed for 18 months as he was held equally culpable as he stood a foot away from Hanvey but as senior desk officer at Collyhurst police station he failed to intervene.

Both men were convicted of misconduct in public office following a three-week trial.

The judge told Hanvey: "You were a bullying thug on this occasion. This was deliberate cruelty and quite appalling and inexcusable conduct."

He added that "worst and almost incredibly" he had a relevant previous conviction for assault at Bootle Street police station in Manchester.

In a statement, Greater Manchester Police said: "The offence in question occurred 12 years ago

and, following the resulting misconduct hearing before the Chief Constable at the time, he was retained by the force due to his previous good character.

"Thereafter the officer's behaviour was monitored for a suitable period of time before, like anyone else, he was deemed suitable for deployment in any operational role."

Nicholas Williams, prosecuting, said Hanvey faced a full disciplinary hearing before the then chief constable in February 1999.

Evidence was given by the officer's divisional commander and inspector.

Mr Williams said: "He was described as a hard-working officer and having had some difficulties in his probationary period he put all that behind him and moved on.

"He was considered to have significant potential and was currently conducting himself 'extremely well'.

"The chief constable concluded that his behaviour was out of character on that occasion. The chief constable considered that the complainant had contributed in some part to the incident."

In his own words, Sir David ruled: "I am going to regard this as serious mistake on your part and give you a chance."

Hanvey's defending barrister, Timothy Storrie, said his client denied the common assault and had planned to appeal but was persuaded to drop the matter.

Miss Keigher was taken to Collyhurst custody suite in October 2008 when she was arrested with another woman following an incident in Manchester's Piccadilly Gardens.

Judge Gee said what happened next was "outright thuggery" as he told the defendants: "It was little short of torture."

Hanvey has since resigned from GMP following his

conviction for using unlawful force, while Kennedy, of Atherton, retired after his conviction for failing to prevent such force.

The court was only too aware, the judge said, of the difficulties, demands and dangers that police officers face but the defendants had abused the public's trust.

"You have brought disgrace upon yourself and the uniform that each of you have been privileged to wear," he said. "Each of you abused your position in a shameful and deliberate fashion towards a 19-year-old girl."

In mitigation both officers were said to have suffered "catastrophic" financial losses.

Hanvey had forfeited nearly £900,000 in future earnings and pension benefits, while Kennedy, with 27 years of service, would lose up to £300,000.

Judge Gee said: "It is clear that each of you have suffered financial loss. Well, you brought that upon yourselves."

Following sentencing, Chief Superintendent Dave Keller, of Greater Manchester Police's Professional Standards Branch, said: "The conduct of Hanvey and Kennedy that day fell well below the standard expected of professional police officers and I am happy that justice has now been served.

"However, I want to stress their actions in no way reflect the committed and professional attitude shown by the vast majority of our custody staff.

"We acted swiftly and decisively to ensure these officers were taken out of that workplace and both officers in question have now left the force."

A female civilian detention officer and two police constables also stood trial alongside the pair for alleged misconduct in public office but were cleared by the jury.

A police spokesman confirmed the force was reviewing whether disciplinary proceedings should be brought against them.



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Cops to be Investigated Over Murdered Woman



The police watchdog is to investigate the conduct of officers involved in a domestic abuse case that ended in the death of an elderly woman.

The Independent Police Complaints Commission (IPCC) said today it was "dismayed" by the failure of Northamptonshire Police to refer its handling of the case that led to the

murder of 75-year-old Mavis Clift to the watchdog.

Mrs Clift died in a blaze at her home in Kingsthorpe, Northampton, on January 1, 2008. Her husband was also injured in the fire and her daughter Susan Barber suffered serious burns.

Susan Barber's estranged husband Paul Barber, 56, was charged with Mrs Clift's murder. Paul Barber died in Woodhill prison in March last year while awaiting trial but a court heard there was no doubt he started the fire.

It emerged he had waged a campaign of domestic abuse and harassment against his wife in the eight months prior to the fire, and police - who received more than 30 calls - organisations responsible for tackling domestic abuse, and mental health bodies, knew about the abuse.

Today the IPCC said in the months leading up to the fire, Mrs Barber had called police repeatedly reporting harassment, domestic abuse, criminal damage and threats to kill by her estranged husband, and reported she was "terrified of what he was going to do".

Other family members also expressed concerns to the police about his behaviour, the watchdog said.

A multi-agency review by the Northamptonshire Domestic Abuse Forum was carried out, but police failed in their statutory duty to refer their handling of the

case to the commission, it said today. The review made a series of recommendations for the force, but the conduct of individual officers involved has never been independently examined, the IPCC said.

Commissioner Amerdeep Somal said: "This is a death where there was prior contact with the police and this case should have been mandatorily referred to the IPCC by Northamptonshire Police back in January 2008.

"To make matters worse, the force failed again to refer the case to us when the family made a complaint last year.

"I am dismayed by this failure to fulfil their statutory duties to refer this case to the IPCC, not once but twice in relation to the same case.

"The matter was only referred to the IPCC after lawyers acting for the family wrote to the force enquiring why the matter was not referred as it should have been.

"I am sorry if the late referral and now belated investigation by the IPCC, as a direct result of the force's failure to refer to us, adds further to their considerable grief. I am taking the matter up with Northamptonshire Police."

She said the commission would be discussing with the family their concerns, and examining records of police contact and the accounts of police officers themselves.

"While it is clear from the multi-agency review efforts were made to learn lessons from what happened, the recommendations related to organisational policy, and the conduct of individual officers has never been independently scrutinised," she added.

"It appears that a woman suffered a sustained period of harassment and threats from her estranged husband, tragically culminating in the murder of her mother and significant injury to herself.

"I have decided that the seriousness of the events and frequency of police contact before the death necessitate an independent examination by the IPCC as to whether there are any misconduct issues for individual officers."

The findings of the investigation will be submitted to the family, Northamptonshire Police, and the coroner, she said.

In June 2009, the review by the Northamptonshire Domestic Abuse Forum (NorDAF) said authorities "failed in their duty" to protect Mrs Clift.

It said opportunities were missed to protect the family because of a catalogue of failings in the system.

As part of NorDAF's report, 13 recommendations were made to improve the way cases of domestic abuse were handled.

At the time, Mrs Clift's family said they felt "totally let down" by the lack of interest by the police on so many occasions.

After the report in June last year, Northamptonshire Police apologised unreservedly to the family and said since Mrs Clift's death it had changed its policies and procedures.

House Arrest for Oasis Attacker

A man who attacked Oasis musician Noel Gallagher after storming the stage during a concert in Canada has been given one year house arrest.

Gallagher needed hospital treatment after being knocked over during a performance at the V Festival in Toronto in September 2008. Toronto police later charged Daniel Sullivan, 48, of Pickering, Ontario, with assault.

The Oasis star was playing his guitar when he was shoved from behind. Security guards also piled on to the stage to halt the scuffle, with Liam Gallagher, who had been mid-song, also in pursuit.

The band left the stage, but later resumed their headline set and later was forced to postpone further international concerts following the attack.

Sullivan pleaded guilty to assault causing bodily harm during a court hearing in November last year.

The Crown requested a jail term of between six to eight months, but the court did not agree to this. The conditions placed on Sullivan's sentence include: abstaining from alcohol, no contact with the complainant, no weapons and the continuation of any treatment or counselling as prescribed by medical advisors and approved by his supervisor.

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the 1 Pump Court page

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Message from Stephen Field



It has been another busy month in the Prison Law world. I am doing my best to visit as many Prisoners as I can and to conduct Parole Hearings whenever I am not in the Crown Court, the Court of Appeal or the Administrative Court presenting judicial review cases.

On top of that I have provided a number of Prisoners with written Advices on their Prison Law or Appeal issues. I have also been "spreading the word" by lecturing to colleagues and Solicitors regarding Prison Law and "doing something about it" when things go wrong for Prisoners. Please feel free to look at **The Prisons Handbook 2010** Law section (published May 2010 - ISBN 9780954482961), which I have written with you, the Prisoner, very much in mind.

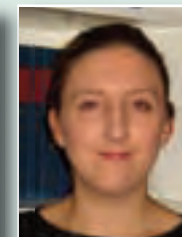
The 1 Pump Court Prison Law team continues to grow, in order to provide a comprehensive service to the many prisoners seeking our assistance. May I take the opportunity to welcome Rebecca Martin, James Presland and Parasha Chandran to the team. All are senior barristers who bring a wealth of experience and expertise to our already excellent team.



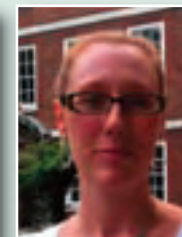
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Message from the team

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We are happy to work with your existing solicitor if you have one, or to recommend one if you don't. Many of the members of our team are able to accept instructions from prisoners directly without a solicitor in appropriate cases*.

We are easy to talk to and give no-nonsense advice. If you have a Prison Law issue, please fill in the questionnaire in the left hand column. By providing the information requested you can ensure that we can deal with your enquiries as quickly as possible.

We look forward to working with you. **Barristers who can accept instructions directly are: Stephen Field, Ajanta Kaza, Daniel Kingsley, Sam Parham, Rebecca Martin and Terry Pedro.*

LATEST RESULTS

R v MG - Court of Appeal - Appeal to reduce an IPP to a determinate sentence.

R v JR - Court of Appeal - Appeal to reduce mandatory minimum 5 year sentence for firearms offence to a lesser term on "exceptional" grounds.

Parole Board Round Up - Following arguments at oral hearings two lifers (murder) have been released on licence and another has been moved to cat D.

Upcoming Cases

R (on the application of FL) v Secretary of State for Justice - Judicial Review of refusal to grant Early Release now that the Early Release Scheme has been scrapped. FL was found to be eligible for early release and the process had been commenced. The probation service confirmed a suitable release address and notified this to the prison. The prison did not produce a form 3 promptly. The Secretary of State scrapped the scheme, but published transitional provisions that required that if a form 3 had been issued any such prisoner should be released as notified. Had the prison issued the form 3 on time the prisoner would have been released. The Judge refused an emergency application for JS's immediate release but the full case is due for hearing very shortly.

R (on the application of S) v Wood Green Crown Court - Judicial Review of Judge's refusal of bail. A defendant arrived at the Crown Court for his PCMH hearing on bail. The Judge promptly removed his bail, even though S had attended court and had not breached his bail since it had been granted by the magistrates by the magistrates in January 2010. S lodged an emergency application with the court on 30th March 2010, and the High Court Judge has ordered an expedited hearing to take place on 6th April 2010. The outcome of that hearing is not yet known at the time of going to press.

IMPORTANT NOTICE ABOUT TELEPHONE CALLS TO CHAMBERS

If the Prison Law Team are doing their jobs properly, they are simply not available to take telephone calls from prisoners during normal working hours (which inevitably involve early starts, late finishes and travelling time). Whilst Fran Springfield (our dedicated Prison Law Team Coordinator) and the clerks (Ian, Sian, Mycal and Johnny) do their best, we do not have a huge administrative support structure within the Prison Law Team, and the phone lines are open **Tues, Wed & Thurs between 3.30 p.m. to 5 p.m.** during which time a rota will be in place to take essential calls.

Questionnaire

Direct Access - Potential New Instructions

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HMP

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Name of solicitor:

Address.....

Alternatively, I do not have a solicitor and would like you to suggest a solicitor should it be desirable to instruct a solicitor and barrister. I give my consent for you to speak with my past, current or future prospective solicitor about my case.

Signed

Date

Please complete this form and send it in an envelope clearly marked: **RULE 39: LEGAL CORRESPONDENCE** to Prison Law Team, 1 Pump Court Chambers, Temple, London EC4Y 7AB and we will reply forthwith. Only send us photocopied documents. NO ORIGINALS please.

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SPECIAL MESSAGE TO SOLICITORS

We are receiving a large number of queries from Prisoners with problems in Immigration matters, civil matters (including potential claims against prisons), medical negligence case, as well as housing/homelessness and community care cases. If any specialist Solicitors are able to advise

and assist Prisoners PLEASE contact us at Chambers, where the Prison Law Team will be very pleased to work together on these deserving cases.



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Fax: 0207 842 7088**

**"If something's wrong
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about it!"**

Cop Tracked Down Sex Offenders for 'Sexual Gratification'

PNC

Searching.....

A detective who used the police national computer to contact sex offenders for his own sexual gratification, has been given a one year prison sentence suspended for two years.

Detective Sergeant Derek Hatch, 48, from Gosport, searched the names and addresses of offenders before contacting them with lewd suggestions, the court heard.

He even met one man for sex, the hearing at Guildford Crown Court was told.

Hatch, father-of-two, was caught out when he contacted two suspected paedophiles, who had been extradited from Thailand, on their mobile phone.

The secret number of Thomas Hadley and Brian Neilson was only known to the officers investigating their case but was registered on the database where Hatch found it.

The only call made to the number was from Hatch, who had no involvement with the case.

Prosecutors said the officers investigating the case of Hadley and Neilson were worried that Hatch's call may have driven the pair underground.

Toyin Salako, prosecuting, added: 'He was accessing every kind of perversion going. They were across the board types of enquiries.'

The court heard how Hatch, an intelligence officer based at Fratton, who had privileged access to the Record Management System, had contacted Edward Linnett.

The pair met in St Georges Square, Portsmouth, and Mr Linnett took him back to his flat where they had sex, said Ms Salako.

But Hatch, of Spithead Avenue, Gosport, a former nurse in the armed forces, denied having any sexual contact with Mr Linnett or contacting the offenders for sexual purposes.

Instead, he said he had called them to berate them for what they had done.

Hatch, the former head of Hampshire's paedophile unit, pleaded guilty to a charge of misconduct in public office between July 2007 and July last year for unauthorised use of the police national computer.

Judge Peter Moss ruled that there was no need to hold a hearing to decide whose version was correct as it made no difference to the eventual sentence. He said: 'The risk and damage caused by such activity by police officers in the RMS is the loss of public confidence.'

'It is vital tool but it is equally important that members of the public know that their information is kept safe and secure and isn't abused in such a way.'

'This offence strikes at the heart of the Record Management System.'

Hatch, who has since resigned from the force, was sentenced to 12 months imprisonment, suspended for two years.

He was also ordered to attend any therapies and treatments as directed and to carry out 100 hours unpaid work.

After the case Chief Superintendent David Peacock said: 'We have a number of security measures that monitor all of our information systems.'

'We don't just rely on members of the public regarding actions of officers, we have our own internal monitoring system and investigate any activity that is potentially unlawful.'

'The fact that this prosecution was initiated is an example of the action we will take in circumstances when an officer regrettably abuses their position.'

'One thing I would like to stress is this is something we take very seriously.'

David Liddell, of the National Criminal Intelligence Service said: "It astounds me that after all the warnings we give to officers, after all the checks and balances that are today built into the PNC system, that still some officers believe they can access the system and their activities will not be noted - this case should send out a clear warning that if you abuse your position we will find you and we will prosecute abuse whoever you are."

Baby's Charred Body Found In Buggy

A mother has been jailed for more than two years for child cruelty after her 13-month-old son's charred body was found strapped in his buggy in front of a fire.

Tracey Sutherland, 39, confessed to neglecting her son, Alexander, who was found by police with charring to his body, soiled clothing stuck to him and apparent bruising to the torso and forehead.

He was taken to hospital but was pronounced dead later the same day, Manchester Crown Court heard.

The child also had extensive nappy rash with faeces and urine on his body when found by officers at the family home in Baguley, Manchester, on November 10 last year - his mother's birthday.

But a pathologist's report said no direct link could be found between the mother's neglect and the tot's death.

The family was known to social services, who were criticised by Judge Clement Goldstone QC for their "startling lack of urgency" in dealing with the risk to Alexander.

Sutherland pleaded guilty at an earlier hearing to child cruelty by neglect between October 29 and November 10 last year.

She displayed no reaction as she was jailed for 27 months at Manchester Crown Court.

Passing sentence Judge Goldstone told the defendant: "I give you full credit for your plea of guilt. I accept you are genuinely and utterly remorseful for what you did or more importantly what you did not do."

'Murder Claim' Doc Wins Appeal



A consultant paediatrician of "international repute", who was struck off the medical register for serious professional misconduct after alleging that a mother from Shropshire had murdered her son, has won an appeal over adverse findings by the General Medical Council.

But Dr David Southall remains off the register after three Court of Appeal judges ruled the GMC's Fitness to Practice Panel should give more detailed reasons for its findings.

The judges found that the panel had failed to give adequate reasons over allegations that Dr Southall had made unjustified

allegations that a mother from Shropshire, identified as Mrs M, had drugged and murdered her son.

Lord Justice Leveson, giving the ruling of the court, said: "I would allow this appeal although I must make it clear that this conclusion is not a condemnation of Mrs M or a vindication for Dr Southall and should not be seen as either."

"On any showing, the panel will have to consider what penalties should be imposed in relation to the other proved charges."

There will be a further hearing to decide over the charges against Dr Southall relating to Mrs M.

A statement from the GMC after the ruling said their understanding was the effect of the appeal court decision was to require the Fitness to

Practice Panel to give more detailed reasons for its determination.

High Court judge Mr Justice Blake last year dismissed an appeal against the panel findings and said Dr Southall had made "truly shocking" and unjustified accusations against Mrs M. The paediatrician, one of the UK's leading experts in the protection of children from abuse, had been asked by a county council to provide an independent report relating

to the safety of her surviving son.

A GMC panel found in December 2007 that the doctor's actions added to the distress of the mother from Shropshire whose 10-year-old boy, M1, hanged himself in 1996. It accused him of having a "deep-seated attitudinal problem". Dr Southall denied ever accusing Mrs M of murder or conducting the interview with her in an aggressive and hostile manner.



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James Smith-Wilds:
Principal

Called to the Bar in 1999, James has always specialised in criminal law. Working in a specialist criminal law firm from the beginning James has always found the system lacking when it came to prisoner rights. Having cross-qualified and then taking over his own firm in 2004, James had the opportunity to provide a proper service for his clients throughout their passage through the criminal justice system, including any period of incarceration. A passionate advocate for justice and the rights of the individual, James established a prison law department based on strict principles and not merely profit. He holds the Certificate of Competency in Prison Law with Distinction and is always keen to get the best possible result for his clients; James fights their corner whatever their circumstances.



Helen Harris:
Head of Prison Law

Since graduating from university in 2003, Helen has been passionate about helping prisoners. In the last 6 years, Helen has built up an encyclopaedic knowledge of the Prison system having only specialised in Prison Law. Seeing prisoners on a daily basis, Helen is a regular at Adjudications and has built up a professional working relationship with many external adjudicators, often having prisoners referred to her and her representations being accepted without challenge. Helen holds the Certificate of Competency in Prison Law with Distinction and meets the new Supervisor criteria, soon to be made compulsory by the Legal Services Commission. Always ready to meet a challenge Helen has an excellent success record at both Adjudications and Parole Hearings.



Sally Smith
Prison Law Specialist

Sally's passion for Law began 14 years ago when she discovered a flair for the work, she qualified as an Accredited Police Station Representative early in 1998 and she has an enviable reputation with her clients for enthusiasm and success in both police stations and prisons. Sally has extensive experience in Police Station, Crown Court and Prison Law cases country wide. Sally has the Certificate of Competency in Prison Law with Distinction and she now specialises in providing advice and representation across the whole Prison Law range. Sally prides herself on having direct contact with her clients, listening to their problems, giving sensible and realistic advice and explaining every step in a way that is easily understood.



Annette Surkitt
Prison Law Specialist

Annette has worked in law for the last 8 years. Having only been with Lawrences for the last six months, such is the level of her specialisation, Annette too will meet the new Supervisor criteria by its implementation in October. Annette is passionate about Prisoner Rights and is always very keen to see the prisoner's view of things. Annette is an excellent addition to the Prison Law team at Lawrences and is extremely popular with clients. Annette, as with all the team at Lawrences, frequently travels up and down the country to see her clients. Believing that the clients' case is the most important issue and getting the best for the client justifies the travelling, ensuring continuity of care and an excellent level of service are the hallmarks of her professionalism.



David Lissaman
Head of the Crown Court Department

David has been working in the Criminal Justice System for 25 years and has specialised in Crown Court work for the last 10 years. David has been with us since 2007 and commented on how much more proactive we are in fighting for our clients. Indeed David noted that in the first 6 months at Lawrences he had conducted more appeals than he had for any other firm before. Since taking over the Crown Court department David has had an almost 100 per cent success rate at appeal. An active family man and keen rugby player, David, like everyone here at Lawrences, is a straight talking lawyer with a robust approach to cases who believes in giving accurate and impartial legal advice.



Mike Pryor
Consultant Solicitor

Mike has over 40 years experience in Crime, he originally qualified as a Solicitor in 1982 and has defended clients ever since. Mike became a consultant at Lawrences after retiring as the Senior Criminal Partner in a Leicester based firm. Primarily a Magistrates trial advocate, Mike handles the more complex prison law cases.



Mark Nichols

Mark has been a solicitor for over 19 years, and he ran his own specialist criminal law practice before joining Lawrences Solicitors two years ago. Primarily a court advocate, Mark is in the process of attaining his Crown Court rights of audience. A keen athlete, Mark approaches his cases with the same gritty determination that he has shown running the London and Paris marathons.



Shirley French: Practice Manager

Having worked at Lawrences since its inception, Shirley now runs the administrative side of the firm and is responsible for all practice issues prior to them being passed to James. This would include general file control and complaints. We have an open and honest attitude towards complaints, and whilst we may not achieve exactly what our client had hoped for, we always endeavour to do our best.



Paula and Jo

For many of our clients the first contact that they have with Lawrences will be with either Paula or Jo. Both of them have been telephonists with law firms since they left school and they have 25 years experience of handling clients between them. Friendly and efficient, always feel free to leave your details knowing they will be passed on promptly so that we can start working on your case straight away.



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HELEN HARRIS

Pussy Galore - The Parkhurst IMB Phone Sex Gal Avoids Jail Term



A member of the Independent Monitoring Board at HMP Parkhurst has been given a suspended jail sentence

for sending explicit photographs of herself and engaging in "phone sex" with inmates.

Alice Belton, of Wilton Road, Bexhill-on-Sea, East Sussex, pleaded guilty at a previous hearing at Newport Crown Court on the Isle of Wight to a charge of misconduct in office.

The court heard the 23-year-old had engaged in "inappropriate" and "intimate" relationships with three inmates serving at HMP Parkhurst on the Isle of Wight where she volunteered between October 2008 and April 2009.

Her unpaid role with the Independent Monitoring Board (IMB) involved her visiting prisoners to check on their well-being.

She was arrested after she was found bringing a mobile phone into the prison.

She told police she had first made contact with one of the prisoners, named as Stuart, through a dating site called Flirtfast.

She said at that point she did not know Stuart was a serving prisoner at Parkhurst, but she admitted carrying on the relationship after she had found out.

The court heard Stuart attempted to persuade her to bring drugs into the prison but she refused to oblige.

The prisoner also transferred £600 to her bank account as a birthday present, the court heard.

The court was told Belton then became involved with John Paul, a friend of Stuart and also a Parkhurst inmate, and exchanged explicit text messages with him.

Gary Venturi, prosecuting, read some of them to the court, stating they were a "flavour" of the language being used in the hundreds of messages sent by the pair.

One exchange of messages read to court was:

"Alice Belton (AB): Have you got it?

John Paul (JP): Mmmm, what no p**** shots x

AB: Nope, you have to be good, you have to be really good.

JP: For how long, you tease?

AB: For however long it takes for me to like you enough.

JP: What are you up to, I can't stop thinking about your p****."

Another exchange was:

"AB: You been quiet.

JP: I have a lot of things to get sorted but have you been thinking of me and has that sweet p**** been missing me.

AB: I might have been thinking of you but my p**** has fallen out with you, ha. x"

"I find it extraordinary how the minister can have come to appoint you, one so young and immature, where a proper vetting procedure would have cast you out on your suitability... All too quickly you lost your independence and responsibility, your behaviour became bizarre."

The court heard that prison staff at the Isle of Wight jail became suspicious and had submitted Security Information Reports to the Governor after several prisoners were heard referring to her as 'Pussy Galore'.

Belton, who was in a relationship, also engaged in an exchange of letters with a third prisoner, called Justin, but these letters did not contain sexual material.

Richard Germain, defending, said Belton was "emotionally fragile" and "naive" which had been caused by her upbringing.

He said Belton, who worked as a care assistant for young adults with learning difficulties, had been thrown out of home by her mother at the age of 16 and had then lived in a hostel.

Mr Germain said there were suspicions that Belton was being groomed by the prisoners as a potential drugs courier and they had informed the prison authorities of her behaviour when she refused.

Sentencing Belton to a four-month prison sentence suspended for two years, Judge John Dixon said she had been given inappropriate support and training for her role.

He criticised the Government for failing to set up a better vetting procedure for prison monitor volunteers.

He said: "I find it extraordinary how the minister can have come to appoint you, one so young and immature, where a proper vetting procedure would have cast you out on your suitability.

"All too quickly you lost your independence and responsibility, your behaviour became bizarre.

"You were weak and foolish, you are not to be punished for that, but the consequences of your weakness and foolishness were very serious.

"You made yourself vulnerable to exploitation by manipulative and unstable men and although you rightly resisted the invitation to import drugs into HMP Parkhurst, you could have caused serious damage to the good order of her majesty's prisons and that was not only irresponsible but a serious breach of trust."

Merde!

Six pirates were captured after mistakenly attacking a French warship off the coast of Somalia, a French military spokesman said.

Colonel Patrick Steiger said the attackers fired eight rounds from automatic weapons on La Somme, a 3,800-ton refueling ship, but missed.

Col Steiger said that the attack by suspected pirates in two skiffs took place far off the Somalian coast before dawn Tuesday.

The crew on La Somme immediately returned fire, sending over three thousand rounds of ammunition in their direction, the French then pursued the attackers, discovering a ship with two suspected pirates on board.

The two were taken into custody and one skiff with four pirates was caught in a chase.

Last October, pirates mistook La Somme for a civilian vessel, and five suspects were caught on that occasion.

Col Steiger said: "The look of horror on their face when we returned fire was astounding, they clearly believed we were a merchant vessel carrying oil, they were half right, we were carrying oil but that was for refuelling the French Navy and we had the defences in place to protect ourselves."

The French Ministry of Defence said the authorities were now considering whether the six pirates should face trial in France.

"They were crestfallen" as the English would say."

'Dodgy Dizzy' Booted Out of the Met

Disgraced police commander Ali Dizaei has finally been booted out of the Met Police after bringing shame on the force.

The 47-year-old was dismissed with immediate effect by the Met Police Authority. He is serving a four-year jail term for corruption.

Dizaei is in jail in Usk, Monmouthshire, South Wales, after being found guilty of abusing his position to bully a younger businessman on 8 February.

He assaulted and falsely arrested Iraqi Waad al-Baghdadi, 24, after asking for £600 he was owed for creating a website showcasing Dizaei's controversial career.

Dizaei has endured a torrid time since being jailed, including an attack in which he was knocked out and had a slop bucket poured over him.

The officer has announced he will appeal against both his conviction and sentence, but he has yet to

reveal on what grounds.

Members of the MPA can also vote to order Dizaei to forfeit his substantial pension with powers handed to them under the Police Pensions Regulations 1987.

But first the Home Secretary must agree his crimes were "gravely injurious to the interests of the state" or liable to lead to loss of confidence in police.

James Cleverly, vice chairman of the Professional Standards Cases Sub-Committee, said: "The tribunal recommended that the only appropriate sanction was dismissal from the service.

"The sub-committee has accepted the tribunal's recommendation and has today dismissed Commander Dizaei from the Metropolitan Police Service with immediate effect.

"As far as the authority is concerned, this is the end of the matter."

Meanwhile, negotiations have continued behind-the-scenes over how much Dizaei should contribute towards the case against him.

Prosecutors originally demanded more than £60,000 but his legal team argued he does not have the cash to meet the bill.

Anti-corruption campaigner Jack Needham said: "There is only one thing worse than going to prison as a cop and that is going to prison as a cop who tried to fit someone up and get them jailed.

"Dizaei is a maverick who for years has had the Met Police wrapped around his grubby corrupt little fingers, playing the race card whenever it suited him, now he is finally where he deserves to be and I hope that every single day he thinks about what he has done and how he tried and failed to get an innocent man jailed all because Dizaei would not pay him what he owed."



IPCC Slams Cop Failures Over Post Office Murder



Detectives should have made efforts to arrest a robbery suspect from Birmingham before he shot dead a sub-postmaster's son during an armed raid in Worcestershire, the police watchdog said.

The Independent Police Complaints Commission (IPCC) said an investigation found that West Mercia Police was made aware of DNA evidence against Anselm Ribera (far right) five months before he killed Craig Hodson-Walker - above.

The IPCC managed the inquiry conducted by the professional standards department of West Mercia Police, which established that Ribera had already been linked to three previous raids when he killed Mr Hodson-Walker in Fairfield, Worcestershire, in January 2009.

Ribera, of Druids Heath, Birmingham, and two other men were each ordered to serve at least 34 years in jail after being found guilty of murder last year.

The investigation overseen by the IPCC found that during the early stages of the murder inquiry, 34-year-old Ribera was suggested as one of the offenders at Fairfield.

In a statement issued today, the IPCC said: "The investigation has found that detectives from West Mercia Police should have made efforts to arrest Anselm Ribera on suspicion of robbery offences prior to his carrying out an attempted armed robbery at Fairfield post office.

"He had been linked by DNA evidence to two other serious robberies in the north Worcestershire area and was suspected of another.

"The earliest of these crimes took place on 25 March 2008; the second was on 9 May 2008, and the third was an armed robbery at a public house on 25 August that year.

"Detectives were made aware in August 2008, through the national DNA database, that Ribera was matched to evidence recovered from two of the robberies.

"On 25 September 2008 Ribera was circulated on the Police National Computer as wanted for two of the robberies, and three days later he was identified by detectives as a suspect for the third because of the modus operandi used.

"But it was not until 13 January 2009 that Ribera was arrested in the West Midlands, along with others, on suspicion of the murder of Craig Hodson-Walker."

Commenting on the findings, IPCC Commissioner Len Jackson said mistakes made by individuals had

undoubtedly been compounded by organisational weaknesses.

Mr Jackson observed: "Regrettably, there were clear failings by individual detectives in this case, but it merits saying they were officers under pressure of heavy workload working at times without necessary supervision.

"We have made a series of recommendations to West Mercia Police on improving supervision

for detectives, on keeping intelligence up to date, and better recording decision-making.

"Despite the failings at individual and organisational levels, it is unclear whether even had officers acted earlier on the evidence available, Anselm Ribera would have been free to commit the awful crime at Fairfield post office.

"His liberty would have depended in part on decision-making by the Crown Prosecution Service



and it is probable there was insufficient evidence to bring charges as a result of the earlier robberies." An IPCC investigator and a senior West Mercia officer have met the family of Mr Hodson-Walker to explain the findings, Mr Jackson added. Six police officers, ranging

in rank from detective constable to detective inspector, were interviewed under misconduct caution as part of the investigation.

There were no misconduct recommendations against three officers, but findings in respect of three others have been forwarded to West Mercia Police to consider any disciplinary action.

In a statement, a spokeswoman for West Mercia Police confirmed that three detectives now faced disciplinary action.

The spokeswoman said:

"West Mercia Police recognised that the previous robbery offences in north Worcestershire could have been dealt with better and we immediately initiated thorough re-investigations and referred the apparent issues to the Independent Police Complaints Commission.

"The original offences were thoroughly re-investigated and were considered by the CPS.

"The CPS decision was there was insufficient evidence for charges to be brought. This suggests that, had the original investigations been as thorough, it is unlikely the suspect would have been charged and he would, therefore, have remained at liberty.

"Wider lessons for the force have been acted upon in an effort to continuously improve the quality of service provided to victims of crime."



Cops 'Should Say Sorry in Person' Says Next Prisons Inspector

Police officers should apologise in person to members of the public if they have failed to do their duty or misbehaved, the police watchdog has said. Nick Hardwick, the chairman of the Independent Police Complaints Commission (and the next Chief Inspector of Prisons) said forces were too often scared to say sorry for fear of getting sued.

They should be more ready to both apologise, resolve complaints informally and put right what went wrong instead of getting bogged down in bureaucracy, he said. Launching new guidance for forces on handling lower level complaints, Mr Hardwick said members of the public who go to the

length of complaining were often natural supporters of the police who felt let down.

The public are more often interested in redress than in pushing for misconduct actions against officers, he said. "Apologies matter to people and acknowledgement matters to people," he said. "The public tell us what they want is some reassurance that steps are being taken to make sure the same thing doesn't happen again. I think police forces know themselves that the current system isn't credible. People's expectations are higher and they need to get a better response."

He gave the example of a report of a burglary going unanswered, or an appointment being repeatedly

missed. But he emphasised serious cases of misconduct should be fully investigated and officers held to account. The number of complaints about the police has doubled since 2004, and four out of five people who lodge complaints say they are disappointed with how it was handled.

Forces are guilty of making "meaningless" apologies, such as 'I'm sorry you feel like that,' he said.

As well as a fulsome apology, they should be ready to pay compensation if necessary rather than defending law suits, he said. "Sometimes the reason people go to civil litigation is because they cannot get sensible consideration of their concerns any other way," Mr Hardwick said.

"Maybe some compensation is the way forward and you should not fight it in the courts, you should pay up quickly." He praised efforts by some forces to use discretion when dealing with complaints, naming Lancashire, Norfolk and Staffordshire.

Of the 31,000 complaints about forces in England and Wales made every year, around 1% - the most serious - are investigated by the IPCC.

The remainder are dealt with forces themselves, with a right of appeal to the watchdog.

A spokesman for the Association of Chief Police Officers welcomed the new rules. Chief Constable Paul West said: "Of course we should apologise when we get things wrong. What's important is that we are judged on our response to complaints and how we ensure that we do better as a service."

ARORA LODHI HEATH

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the Mackesys page

A major criminal practice in South London for more than 20 years

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FOSIA JURY

Mackesys Solicitors has been a major criminal practice in South London for more than 20 years and holds three Criminal Contracts, awarded by the Legal Services Commission. Our Prison Law Department looks after the Rights of Prisoners, whether they are long-term or only just detained.

Our Specialist Prison Law Team is headed by Fosia Jury and Darren Cousins, both of whom have been accredited by the Institute of Prison Law and other members are Clint Ambrose, Charana Sangeewa, Antonita Nagalingam and Nasreen Hussain who have all been through a thorough training and accreditation process.

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DARREN COUSINS

We are acutely aware of how distressing and confusing issues surrounding imprisonment can be for both the person detained and their families, and will do everything we can to alleviate the strain placed on those involved.

Prison Discipline

Have you been charged with an offence against prison discipline? Are you now waiting an adjudication either before an independent adjudicator or prison governor?

We can represent you, in person, at the hearing before the independent adjudicator. However, this representation is not available before the governor, BUT we can forward representations on your behalf to the governor.

Parole

Are you eligible for Parole soon? Has your parole dossier been served on you and you don't know what to do with it?

We can help you by providing representation either on paper or at an oral hearing.

Release from Custody

We can assist in the following early release applications:

HDC
Parole Licence
Compassionate Release
Temporary Licence
Early release

You will be subject to licence conditions. Should you breach any of the conditions you will be liable for revocation and recall to prison. If you have been recalled to prison for breach of licence conditions, we will be able to assist you and, where appropriate, represent you at an oral hearing before the Parole Board.

Appeals

"Justice for all"

The criminal justice system can and does get it wrong. We have solicitors who specialise in appellate work, both in appeals against conviction and sentence.

Appeals against conviction

ALL LIFE SENTENCED CASES CONSIDERED

We understand that many things can result in a wrongful conviction such as:-

- Prosecution non-disclosure of evidence
- Police error or misconduct

- Improperly obtained confessions
- Flawed identification
- Flawed scientific or forensic evidence
- Poor defence lawyer team

WE CAN GET LEGAL AID UNDER THE ADVICE & ASSISTANCE SCHEME (where applicable) Please write to us or call for further details.

We can help! We can look through your case and provide you with an opinion on whether you have any merits in appealing. This work is time consuming and involves a thorough analysis of your case but there might be fresh evidence that has come to light which was not available at the time of your trial. All of this matters.

It can be a long and difficult task in overturning a conviction and those who have been wrongly convicted face a struggle to put the wheels of justice into reverse. It is so important that we work together as a team to ensure that we get things properly prepared and right before lodging any grounds for appeal. You will need a committed solicitor throughout this process.

Due to the time consuming nature of appeals against conviction, we only concentrate on the most serious cases where the client has been sentenced to a term of imprisonment of at least 10 years or more.

Appeals against sentence

Did an error occur in the sentencing process?

Was the sentence passed much more than was expected?

Was the sentence not justified by law?

If any of the above rings true, call us. We can look into your case and advise on whether the sentence can be reduced based on the above principles.

Mackesys Family Solicitors

Mackesys specialises in Family Law, including divorce, cohabitation, domestic violence and we have major expertise in cases involving children, including child abduction.

Our solicitors are all specialist family lawyers and are committed to providing an excellent and sympathetic service to all of our clients. They understand the trauma and distress involved in family breakdown and aim to offer clients a friendly and straightforward service, with a clear explanation of the options available to them. This then enables clients to make well informed decisions with the knowledge that they are doing so having received expert advice.

Mackesys is also committed to legal aid and we have been approved by the legal services commission and currently hold a family law contract with them.

SPECIALIST AREAS

CHILD ABDUCTION AND RELOCATION

We represent parents in this country and abroad in conventional cases where children have been removed without parental consent. If you believe there is a risk of your child being taken abroad by a relative or your ex-partner without your consent we can act quickly in an emergency to obtain court orders to prevent the removal.

RESIDENCE DISPUTES

Where parents cannot agree about the arrangements for their children the court can make orders under the Children Act 1989. The court can therefore decide where a child should live in the form of a residence order.

CONTACT DISPUTES

When parents cannot agree the arrangements for their children the court can make orders under the Children Act 1989. The court can decide how often the child should see another parent or relative in the form of a contact order.

CARE PROCEEDINGS

We represent parents, children and others in disputes with local authorities relating to:

- Care orders and emergency protection orders, including emergency hearings
- Supervision orders
- Secure accommodation orders
- Child protection investigations
- Adoption

We can also advise extended family members on what they can do to ensure that they are assessed by social services as carers for children whose parents are not able to look after them.

DOMESTIC VIOLENCE

In these very traumatic and distressing situations we can offer sympathetic and practical legal help. We offer an immediate response and urgent same day appointment (where necessary).

We can help with:

- Protection against violent partners or other family members by way of non-molestation orders.
- Cases of harassment
- Dealing with the occupancy of the family home in cases of violence
- Liaising with groups offering emergency support
- Liaising if necessary with the police and other agencies.

ANCILLARY RELIEF

Our Ancillary Relief department deals with all aspects of financial provision following the breakdown of a marriage including:

- Division of matrimonial home/property and other assets/money
- Transfer of tenancy
- Maintenance
- Injunctions including the freezing of assets
- Pensions
- Cases including a foreign element
- Financial provision for children and property
- Children - disputes between cohabitants

If any of the above affects you or your family - talk to us!

Mackesys Solicitors

Prison Law Dept: 207 New Cross Road, London, SE14 5UH

Tel: 0207 639 0888 (24 hours)

Family Law Dept: 7 & 9 Lewisham Way, London, SE14 6PP

Tel: 0208 244 0444

Nicked? Read On!

Jordans Prison Law Solicitor
Rachel Baldwin writes on the
Adjudications Process



Adjudications are dealt with by PSO 2000 "The Prison Discipline Manual". This contains all the information you will need about your charge and the process by which it will be dealt with. Copies should be available from the prison library and the segregation unit.

The Manual

Reading PSO 2000 cover to cover is usually the first step for any legal representative who represents at adjudications and so should be for you if you choose to represent yourself. There are many technicalities within the adjudication manual that can lead to the charge being dismissed and as such it is highly advised that you have a representative. Depending upon the charge there are also other manuals that may need to be considered such as the MDT manual PSO 3600. This manual sets out the procedures that should be followed for a test to be valid. If the procedures are not followed and this is shown at the hearing the charge may be dismissed.

The Adjudication Process

The charge will be issued by the reporting officer on form F1127A. The charge must be an offence under the Prison Rule 51 (Chapter 6 of manual) and this must be issued within 48 hours of discovery of the offence. Failure to charge within 48 hours renders any subsequent hearing void unless exceptional circumstances apply. As such it is extremely important to check the charge sheet thoroughly. The governor opens the charge and then has three options, they can refer the matter to the police, deal with the charge themselves or refer it to the independent adjudicator. The choice is usually made depending on the seriousness of the offence and the level of punishment that the governor thinks is appropriate.

If a matter is referred to the police and they decide to deal with the matter it will be dealt with in the courts, if they decide not to proceed it will be dealt with by the governor using one of the other two options. If the governor thinks that only additional days will suffice s/he will refer the matter to the independent adjudicator. If s/he is happy with their own sentencing powers they will deal with it.

The Governor will ask you to enter a plea. If you are intending to seek legal advice/representation the usual advice is not enter a plea and reserve your position until you have spoken to a solicitor. The Governor/Independent Adjudicator may try and push you to enter a plea but it is important to stand your ground in a polite and amicable manner.

If you enter a guilty plea, the details of the charge will be read out followed

by a conduct report prepared by the wing and then you will be offered the chance to put forward mitigation. This means anything that you think will help explain your behaviour and could lead to your punishment being reduced. Your punishment will then be given.

If you enter a not guilty plea the matter will proceed as an informal trial. You will have the opportunity to ask questions of the reporting officer and also any witnesses. The Governor/Independent Adjudicator will also have the opportunity to ask questions. You will also be given an opportunity to give evidence yourself and to have witnesses speak on your behalf. Again the Governor/Independent Adjudicator will be able to ask questions of you or your witnesses. Once the person conducting the hearing has heard all the evidence they will decide whether they have found the charge to be proven. If the charge is not proven it will be dismissed. If it is proven the hearing will continue as if a guilty plea was entered.

The Governor

If the Governor deals with the charge they have limited sentencing powers. They can NOT award additional days. There are punishment guidelines and each prison should have a local tariff to ensure that punishments are consistent. The punishments a Governor can give are things such as cellular confinement (21 days maximum), removal of privileges (42 days maximum).

If the charge is heard by the Governor you are entitled to legal advice but not legal representation. You can ask for legal representation but this will only be granted if you can show that it is absolutely essential to ensure you have a fair hearing (Tarrant Principles). If you ask for legal advice the hearing will be adjourned to allow you to seek advice. How



long a hearing is adjourned for will depend on the institution but you should act promptly in contacting a solicitor.

The Independent Adjudicator (IA)

The IA is a District Judge who visits the prison on average every 3-4 weeks although this will depend on how many charges the prison have for the Judge to hear. The IA has the same sentencing powers as a Governor but can also award up to 42 additional days for each offence charged.

If your charge is sent to the IA you are entitled to legal representation. This means you can have someone at your hearing to represent you.

Legal Representation/Advice

You should remember that in 9 out of 10 cases legal representation will be free. Legal Aid is available to people with an income under £99 per week and capital of less than £1000. If you are cohabitating or married your partner's income will also be taken into account. Being in receipt of certain benefits also makes you automatically eligible for Legal Aid. Remember, your representative will need proof of your partner's benefits before Legal Aid can be granted. It is recommended that if you use a representative that you ensure they have sufficient experience. Unfortunately, there is currently no accreditation for solicitors firms in prison law and as such you cannot be sure how much experience they have and whether they are fully qualified. It is important that you ask. You wouldn't have a representative in the police station or Magistrates Court who didn't know what they were doing so why should you have one at an adjudication?

Rachel Baldwin is a Prison Law Solicitor with Jordans Solicitors - their details are set out below: Contact Rachel on 01302 365374

RACHEL SAYS: REMEMBER!

From July 2010 a supervisor standard will be introduced for prison law firms but this will only ensure that the department supervisor has sufficient experience, it will say nothing about the staff they are supervising. The advice is **ALWAYS** ask about an individual's experience.

Talking
sense



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Ian Lawless
released on appeal,
was represented by
Mark Newby

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**THE
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CONSCRIPT

Letters to the Editor.....

VICTIM APPEARING AT PAROLE HEARINGS

I would like to know whether the victim of my offence - a section 18 wounding for which I received an IPP sentence - can appear at my parole hearing.

My Offender Supervisor has told me that a Victim Personal Statement has been received and will be before the Parole Board when it meets in July, but given that my Parole Hearing is not going to consider my release but only a transfer to open conditions, can it be right that an untested victim statement can be put before the panel in this way?

Also given that at my trial the victim's statement was read to the Court before sentence, what is the point of bringing it up again now five years later? Can the victim add to the statement at my trial or is it just the same one that was heard before I was sentenced.

Will the victim be present? If so can I question the victim about the statement?

What access to my personal information will the victim have - will they be told about the courses that I have attended, and what about my Oasys score etc?

Peter G

HMP Wymott

Mark Leech replies: I'll try and take your questions in order - can the victim of your crime appear at your parole hearing which is to consider your transfer to open conditions; in short the answer is 'Yes' - but they need permission from the Panel although it is highly unlikely to be refused.

Under the Code of Practice for Victims of Crime, the Parole Board is obliged to consider any submitted information relating to the risk presented by an offender when a decision is being made about whether to grant or recommend their release.

Arrangements which were originally introduced in September 2007 and set out in Probation Circular 26/2007 established a formal process to enable victims to submit a Victim Personal Statement (VPS) for consideration by the Parole Board panel reviewing an offender's case.

These arrangements are additional to the statutory right of victims, under provisions in the Domestic Violence, Crime and Victims Act 2004, to make representations about conditions which may be included on the offender's licence at the time of their release.

A VPS that is submitted may be considered at both paper-based and oral hearings. The VPS should bring to the panel's attention any information about the lasting impact or consequences that the crime has had on the victim or

members of the victim's family or the impact and consequences of the offender's release.

Victim's rights in this respect apply when the Parole Board are considering the following types of case:

- the release of determinate sentence prisoners;
- the release or transfer (as in your case) to open conditions of indeterminate sentence prisoners; and
- (in certain cases) the representations of recalled licensees - so a VPS could be used where the Parole Board are considering representations against recall to custody, where the recall is a result of the offender:
- breaching licence conditions which relate to contact with victims or an exclusion zone established in respect of victims; or
- committing a further offence involving the victim, or displaying unacceptable behaviour towards the victim; or
- being subject to a risk assessment which indicated that there is an ongoing risk to the victim.

Can a victim add to the statement read out in court? The answer is yes. The VPS can be an update of the statement made at the time of the trial or may be a completely new statement from the victim. It should provide the Parole Board with:

- the victim's views about the original impact of the crime and any ongoing consequences;
 - the likely impact of the offender's release on the victim, or those with close emotional ties to the victim's family.
- The VPS is for information purposes only. The Parole Board's decision to release or transfer to open conditions must be based solely upon the potential risk that (you) the offender represents, in the

light of all the evidence presented. The VPS should assist the Board in making an informed assessment of the risks associated with releasing you or granting you a Cat D - including any risk arising from the possible or likely impact of release on the victim or those with close emotional ties to the victim.

Will the victim always be present - no, and can you question them about their statement - no, but you can comment on it of course. Normally a VPS would be read out by a member of the Public Protection Advocacy (PPA) Team - but the victim can do it themselves, either via video link, where that is available, or by attending in person.

They are not permitted access to information about you and they must leave the room before any personal information is disclosed - in the case of a video link, the link is terminated prior to personal information being discussed.

VETERAN BADGES WHY ARE THEY BANNED?

I served in the Royal Marines for six years in the early 1990's, seeing action in the first Gulf War, for various reasons, social, domestic and others my life went to pieces and after sliding down the colloquial slippery slope I landed here with a hefty sentence around my shoulders.

Although I have kept my Service to myself I have admired the way Converse has supported the subject of Veterans in Prison, unlike other newspapers, giving prominence and support to the Veterans in Prison Association and when I read that the Vets at Parkhurst had been awarded their Veteran Medals I quietly enquired whether I could wear mine.

I have been told that such medals are not allowed here, one reason was that the pin could be used as a weapon - how can that make sense when they issue craft knives? Another reason, which has a ring of truth about it given the 'radicalisation' problems here, is that it could upset the muslim community in the jail. I understand the issues, and I'm not trying to start a war having been through enough of that in

the past, but my bootneck instinct is to ask the question why am I banned from wearing a medal awarded to me for Service to my country?

I'm not proud of being here by any means, and I'm trying to keep my head down and get on with it so don't publish my name, but I'd be interested to know what the 'official' line is on this issue - can you help?

The Duty Booty

HMP Whitemoor (Ex 42 CDO RM)

Mark Leech replies: I can usually find the answer to most questions that are asked by our readers but strangely this one has resulted in a firmly closed door. Like you I understand that there are genuine concerns inside prison management about radicalisation of Muslim prisoners - generally in the High Security Estate but particularly at Whitemoor prison as was made clear in a 2008 report from the Chief Inspector of Prisons which detailed the "fear" felt by staff at Whitemoor at the radicalisation of Muslim prisoners there. The Chief Inspector of Prisons said her findings highlighted a growing "disaffection and distance" between Muslim inmates and the prison system that "urgently" needed addressing.

So while its not difficult to see why staff would not want medals paraded in a difficult and potentially volatile atmosphere, it is difficult to understand what the difference is between veterans medals worn by inmates, and those worn by many staff with what I assume is equal pride?

However it seems that General Election 'Purdah' means this is a politically sensitive issue that is not for discussion though why that should be defeats me just as much as getting a straight answer has done. I'm publishing your letter in the hope that other inmate ex servicemen will write with their experiences - and I'd like to hear the views of Muslim inmates too - perhaps then we can then get a clear policy steer from the Prison Service; incidentally when I mentioned the fact you had been told you couldn't wear it because it could be used as a weapon, that was met with laughter - mention of radicalisation on the other hand, was met with a stoney silence - which was deafening.

He'd already stabbed someone to death - Yet they still gave him a craft knife



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ABSCONDS FROM OPEN PRISON - WHY DO SOME END UP IN COURT?

In December last year, foolishly, I walked out of Leyhill Open Prison and was on the run for about a month before handing myself back in. I was charged by the Governor with absconding and the case was adjourned so the "police could investigate" - not that there was much to 'investigate' given that I left prison minus a ROTL licence and a month later walked into a police station!

However I have now been told that the CPS intend to charge me with absconding from lawful custody, but I have met others in here who have been on the run from open prisons and who were just dealt with by a local adjudication, inside two weeks they had 28 added days and it was all over. In my case I did not commit any further offences while on the run, I handed myself back in without a fuss, and yet it seems now that I'm facing another six moon in the dungeons.

More baffling still, is that I read recently in Converse that cases of abscond were only to be referred to the police where the inmate concerned had been on the run for a minimum of eight weeks - I was only 'unlawfully at large' for 24 days and yet it seems that I'm being nicked for it.

Can you help me understand what's happening.
Alan S
HMP Cardiff

Mark Leech replies: The procedure and guidance in relation to referring alleged offences to the police for investigation and possible prosecution is set out on Annex C of PSO 2000 (The Prison Discipline Manual (Adjudications)).

This states that governors should refer cases to the police where:

- Any alleged escape or abscond from open conditions where the prisoner has been absent for a substantial period of time (normally any period over eight weeks);
- Any alleged escape or abscond from open conditions where the prisoner has made determined efforts to avoid recapture (such as by changing his/her name).

In neither case does this seem to apply to you - though you do not mention whether you changed your name, and I'm assuming you didn't.

However the immediate point for you to note is that the Prison Service have been advised that the guidance set out in Annex C of PSO 2000 might be unlawful and capable of being judicially reviewed by inmates like yourself who have not been absent for

eight week and who have not changed their name or made a determined effort to avoid recapture.

As a result the National Offender Management Service have suspended the guidelines set out in Annex C of PSO 2000.

The suspension appears in PSI 13 of 2010 which was issued a couple of months ago and this states: *"Paragraphs 13 to 15 of Annex C of PSO 2000 (the Prison Discipline Manual - Adjudications), set out a number of criteria that governors should take into consideration when considering referring an abscond to the police for investigation and consideration for onward referral for prosecution. In particular the advice in the annex says that absconds from open conditions should be referred "where a prisoner has been absent for a substantial period of time (normally any period over 8 weeks)". The CPS have raised concerns that some of these criteria in the PSO may lead to a judicial review of any decision by the CPS to prosecute prisoners for absconding in certain circumstances, for example, where a prisoner is absent for less than 8 weeks. This follows previous court rulings that local policies should be taken into account in any decision to prosecute.*

The guidance in Annex C was agreed with the Crown Prosecution Service and police some time ago, and is now out of date. New guidance on crimes in prison is currently being discussed with ACPO and the CPS. In the meantime the current guidance on referring absconders is being withdrawn but governors should continue with locally agreed policies and practices on investigation and referral to the police of absconding prisoners until the new guidance is available later in 2010."

And that is as far as it goes, in short it is now up to each governor to decide his policy on referring cases to the CPS - although in your case you might have good reason for challenging it.

When you absconded in December 2009 and were away for 24 days that must mean that your adjudication, and reference to the police, took place in January when this advice was still in force - it wasn't withdrawn until 22nd February 2010 when PSI 13/2010 was issued.

You may have a case for judicial review therefore on the basis that the referral was in breach of the policy guidelines then in force, but you'll have to get cracking, judicial review proceedings must be issued within three months of the date when grounds for the application first arose, in your case that would be the date the governor referred your case to the police and if my maths are any good that period must be up very soon - so don't sit there, get on with it!

HMP MANCHESTER: A LAW UNTO ITSELF?

I am writing in relation to my brother A7729AE Tyrrel who is in Manchester Prison. I have a number of concerns regarding his treatment but it seems that I can never straight answers to straight questions from the prison and I wonder if you can help me as I'm now at my wits end?

My brother recently was going to be charged with something that he was not guilty of but the jail was adamant he had done. Fortunately after great stress to myself and my mother the charges were dropped yet he was moved to another wing without reason.

His applications seem to take months to clear, and all the time the prison claims that they never received them.

My brother's 'property window' opened at the beginning of March and yet he has still not received the play station that was handed in to the jail almost two months later. I know things have to be tested but when I try and discover how long these tests should take I am just ignored.

Whenever my brother makes a complaint he never receives a response - why is that?

As a result of complaining about his treatment - something he has the right to do, he now finds himself locked up most of the day

Why cant he go to the gym like he was doing before he complained - and isn't that a reason for complaint in itself?

Why cant he have a job?

I recently purchased for him the book "Prisons: Law & Practice" which was sent to him directly from the publishers - yet he has been told that he can't have it; why is that? This book is written by two eminent prison law solicitors, the Prisons and Probation Ombudsman wrote the foreword to it so its hardly radical and the publishers tell me they have sent this book to dozens and dozens of prisoners at other jails and never once has it been stopped or even delayed.

My brother's legal mail has been given to another inmate with the same name but wholly different number - isn't that why prisoners have different numbers in the first place?

My brother was then given this other prisoners test results, confidential test results, just what is going on inside this prison and why does the governor seem so unable to manage it?

Why has his solicitors requests for a copy of his prison record been blatantly ignored? They have written and requested copies of documents they are entitled to receive, but the prison just ignores them, and at this stage I feel that either

Manchester prison administration is very poor or this looks to me like victimization.

Furthermore I am so tired of letter writing. I am sure that if the governor looked at his files - assuming that they have not gone missing - they will see the amount of letters I have had to write to highlight my brothers plight at the prison and I wonder how many others is this happening to, or is it just my brother

I do hope that you can publish my letter, I'm also sending it to the chief Inspector of Prisons for her information - honestly I am at my wits end.

Dawn Burke
Manchester

Mark Leech replies: The problem with Manchester Prison is that the Governor is not in charge - the staff are. I am not at all surprised by your allegation of victimisation - and it is not something that would surprise the Chief Inspector of Prisons either, here is what she wrote about Manchester Prison just four months ago:

"However, over half the prisoners said that they had felt unsafe at some time, which was higher than at the previous full inspection in 2004. A third said they had been victimised by other prisoners, but a much larger proportion (44%) said they had been victimised by staff."

On the issue of what happens when inmates at Manchester Prison complain, read the following that the Chief Inspector wrote when prisoners complained about conditions to her:

"It was apparent that there was a pervasive lack of trust in staff among prisoners. Unusually, some prisoners were reluctant to talk to us for fear of reprisals - and in one instance, two prisoners were indeed given negative write-ups under the incentives and earned privileges scheme. We also observed communications between and among staff and prisoners which were regularly punctuated by expletives, or where staff shouted or were dismissive."

On balance it needs to be said that she also found things to praise about the prison, for instance the large amount of work available for a local prison (not that your brother seems to be experiencing any of it) and the good work done in the detox and first night units, but no matter which way you look at it, no matter how positive you try to be about it, the fact remains that in the 20 years since the disaster of April 1990 not one single governor, not a single Director of High Security Prisons (within whose remit Manchester Prison resides) not even a single Director General has managed to get to grips with the ingrained culture of staff at Manchester Prison: it might think it is a law unto itself, but it isn't: the trouble is no one guards the guards.

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Only 1700 Places Left and a Prison Population Increasing at over 400 a week



Shadow Justice Secretary Dominic Grieve pledged to ensure ECL is not reintroduced if the Tories gain power.

He said: "As Chancellor, Gordon Brown refused successive Home Secretaries

the funding they needed to provide adequate prison capacity.

"As Prime Minister, he released 80,000 prisoners early. Labour simply have no credibility when they talk about criminal justice.

"We campaigned relentlessly for this reckless scheme to be scrapped and if

elected we will provide the new prison capacity we need to ensure it is not reintroduced".

The prison population first passed the 84,000 mark in August last year.

A report last year found two thirds of prisons are overcrowded, and some jails hold hundreds more inmates than they were built for.

The Prison Reform Trust report said Wandsworth prison in south London was at 150% capacity, with 1,650 inmates in spaces for 1107.

A Ministry of Justice spokesman said: "We will always provide enough prison places for serious offenders, those who should be behind bars: the most dangerous, the seriously persistent offenders, and the most violent.

"Prison is the right place for such people. Since 1997, the Government has increased prison capacity by over 27,000 places, and is committed to increase net capacity to 96,000 by 2014.

"ECL was always intended to be a temporary measure and Ministers had made it clear that it

would be ended as soon as there was sufficient capacity to do so.

"Withdrawing the scheme is expected to increase the prison population by an additional 1,000 to 1,200 prisoners.

"Sufficient headroom exists to accommodate these prisoners within existing capacity."

Geoff Dobson, deputy director of the Prison Reform Trust, said: "With the country facing difficult choices about reducing the public debt burden, it is a form of economic madness to allow the prison population to continue to spiral out of control.

"Each new prison place costs £170,000 to build, and that is excluding running costs, the cost to the

taxpayer per prisoner, per year, is £41,000."

Peter Johnson, Deputy Editor of Converse said: "Like it or not the fact is that whoever forms the next Government they are going to have to resort to some form of executive release in order to manage the prison population.

"Prisons cannot be opened overnight, they can't be ordered like a box of spare parts from some large central stores, and with judges and magistrates showing no let up in their passion for imprisonment, the result can only be that in order to maintain a safe environment for prisoners and staff, some kind of early release mechanism will simply have to be devised."



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Matron Jailed for Child Centre Fraud



The matron of a children's centre in Yorkshire has been jailed for more than two years after cashing cheques meant for deprived youngsters.

Jennifer Benson, 40, illegally cashed cheques for £100,000 from an account belonging to

East Riding Children's Centre in Withernsea over four years. The money was meant to improve the lives of parents and children aged under five in the resort, Hull Crown Court was told. Following an investigation by auditors, she pleaded guilty to a charge of misconduct in a public office and to concealing criminal property, the court confirmed. The court was told she was desperate to give her husband and grown-up daughter "everything they wanted" and spent the money on her family and a caravan.

She also used the money to improve her home in Owthorne Grange, Withernsea.

Judge Rodney Jameson QC sentenced Benson to two years and four months in jail. Following the case, a spokesman for East Riding Council said: "This former employee of East Riding of Yorkshire Council was dismissed following an investigation into fraudulent use of council funds. "Her contract was terminated in November 2009. The council takes offences of this nature very seriously. When concerns came to light, the council's procedures to investigate allegations were followed and worked smoothly."

Royal Abscond Case Adjourned



The case of a former royal aide, accused of absconding from an open prison has been adjourned.

Jane Andrews, 43, triggered a large-scale search after she walked out from East Sutton Park (ESP) open prison near Maidstone, Kent, last November.

The former dresser to the Duchess of York was captured two days later at a Premier Inn hotel near Maidstone and was sent HMP Holloway; she will now appear at Maidstone Magistrates' Court on May 4 to answer a charge of absconding.

Kent Police said the decision to take further action against her was jointly made by the force and prosecutors from the Crown Prosecution Service.

Andrews was jailed for life after being convicted of murdering wealthy businessman Tom Cressman in 2001 when he refused to marry her.

She was ordered to serve a minimum of 12 years in jail after a jury at the Old Bailey accepted the prosecution case that she killed Mr Cressman at the home they shared in Fulham, south-west London. She was moved to ESP after serving eight of her sentence.

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Strange Case of the Rapist who tried to Join the Prison Service



A sex attacker who dragged an 11-year-old girl into bushes and raped her as she walked through a park has been jailed for at least six and a half years.

Joseph Rees, 19, pounced on the girl and threatened to kill her while she was on her way to a friend's house in broad daylight. A judge at Cardiff Crown Court gave Rees an indeterminate sentence, of which he must serve six and a half years before he can be considered for release, for the act of "repulsive wickedness".

The court heard he had a history of troubling behaviour and had set fire to his brother's cot when he was just three years old and, despite a lengthy criminal record, last year applied to join the Prison Service but had his application rejected. Prosecutor Caroline Rees said on the morning of January 4 the girl, who cannot be named for legal reasons, set off from home through the park in the village of Llanbradach, near Caerphilly, south Wales.

"She had made that journey very regularly and it was familiar territory to her, territory in which she thought she was safe to walk," Miss Rees said. Describing a police interview, she said the girl heard rustling in the bushes and turned around to see a man, now known to be Rees, behind her.

She tried to walk away, but he dragged her into the bushes out of public view.

The girl said she had seen the man riding around on a BMX bike earlier on her journey, Miss Rees said. She told the court the girl kicked and screamed in an effort to resist her attacker, who kept one hand on his victim's mouth during the ordeal. Rees told her at first that he was a police officer, which the girl did not believe, then said: "I have got a knife in my pocket to kill you."

He said if she told anyone "I will kill you and I won't stop stabbing you until you die".

A passing dog walker took the girl home when she found her sobbing and trying to dress herself.

At home, Miss Rees said: "It was clear that the girl was telling her mother that she had been raped by the stranger, who is in fact the defendant."

Joseph Rees's foster mother, whom he had been visiting over Christmas, heard about the attack and learned the police were looking for a man in clothes she had seen him wearing.

She called police when she found him at home and he was arrested that night.

Rees was interviewed 19 times by police between January 5 and 8 when details of the rape were put to him, including DNA findings. He denied the attack at first, then answered "no comment".

Miss Rees said the defendant's refusal to attend court had caused great concern to the victim's family, who were worried the girl might have to give evidence.

Sentencing was delayed to the afternoon so Rees, who pleaded guilty to rape last month, could appear via video-link from prison after refusing to attend in person in the morning. The court heard that he had been an "extremely difficult child", got into trouble at school for bullying and started using drugs.

He had made 16 court appearances for 22 convictions, largely for matters of deceit or

damaging property, Miss Rees said.

Imprisoning him for public protection, the Recorder of Cardiff, Judge Nicholas Cooke QC, said he had to set a minimum tariff before Rees could be considered for early release.

"You are indeed dangerous and I have to deal with you for very serious, indeed stomach-churning offending," the judge said.

The young victim was "dragged to a secluded place, threatened and terrified", he added.

He granted a sexual offences prevention order, banning Rees from having contact with under-18s unless in a public place or when accompanied by another adult, and banning him from entering public parks alone.

Rees sat motionless with his eyes down throughout the hearing, replying "Yeah" at the end when asked if he understood the sentence.

Outside court, Detective Chief Inspector Steve Mogg, of Gwent Police, said: "I would say Joseph Rees is a very dangerous individual and I think the public now throughout South Wales can be assured that this man is safe away in prison and is no longer a threat to the public."

"Every case like this is tragic and everyone involved in this investigation was shocked and upset by what happened."

"I would say that he won't be released from custody until he is declared to be safe."

He said the victim's family were relieved the case was over, adding: "I hope that she can rebuild her life, move on and hopefully enjoy what's left of her childhood."

"A stranger attack in a small Welsh village is extremely rare."

"I would not want parents to say to their children they can't go out and play."

"What I would say to parents is always be aware of where your children are."

The Grandpa Who Raped Grandma

The former president of a Hampshire village bowls club has been jailed for more than four years for raping a grandmother. Leslie Black, 69, attacked the 68-year-old married woman after threatening to expose an affair she was having with another man, Guildford Crown Court heard.

He told the victim two detectives were watching her every move and bugging her phone calls, but their existence had been fabricated by Black after he developed an "obsession" with the woman, prosecutor Caroline Carberry told the jury.

The pensioner, a widowed grandfather, threatened his victim with an ornamental knife during the attack in July 2008. She later confided in her son and reported the rape to police later that year.

The court heard the pair had been friends but the woman had spurned Black's advances, which he made following the death of his disabled wife. She was in a vulnerable state when the rape took place because of her fears over the private detectives she believed were following her, Ms Carberry told the jury.

Black, of Midhurst Road, Liphook, was found guilty of one charge of rape earlier this month and was given a sentence of four years and four months by Judge Peter Moss. He will remain on the sex offenders' register for 10 years. A spokesman for Liphook Bowling Club, of which Black is a former president, did not wish to comment.

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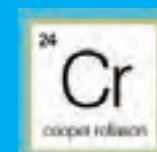
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Self-Protection Law Needs Changing Says Man Who killed A Burglar



In the struggle the youngster, who cannot be named for legal reasons, was stabbed twice in the knee and was chased off the property by Roberts. Juett, who was upstairs ransacking a bedroom, rushed down the stairs to confront Roberts, who in a fight stabbed the teenager in the shoulder, severing a major artery. Today it emerged Juett's accomplice was the prosecution's main witness, despite having an anti-social behaviour order banning him from parts of Basford and a string of convictions for violent offences, including burglary. Roberts was formally found not guilty over the death today and was discharged by Mrs Justice Dobbs.

In a press conference immediately following the

The law should be strengthened to protect homeowners who confront burglars, the mother of a trainee builder cleared of murdering a teenage intruder said today.

Omari Roberts (above), 23, was told by the Crown Prosecution Service that no evidence would be offered against him, the day he was due to stand trial for the murder of 17-year-old Tyler Juett (right). Nottingham Crown Court heard Roberts confronted the teenager after he returned home from work for a lunch break in March last year.

He found the patio door of his mother's semi-detached house in the Basford area of Nottingham smashed in.

Roberts then grabbed a kitchen knife from a drawer to protect himself as he was attacked by Juett's 14-year-old accomplice, who it is also believed was armed with a blade.

hearing, it emerged some police officers did not want the case to be brought against Roberts.

His mother Jacqueline McKenzie-Johnson, 47, said the law now needed to be clarified.

At present home-owners are not allowed to use "unreasonable force" but there have been calls for it to be strengthened so that only "grossly disproportionate force" would warrant prosecution. She said: "There's a need for clarification on 'reasonable force'. I particularly believe that when you are faced with an intruder in your own home, the expectation that you behave reasonably doesn't seem to fit.

"There are number of things that have had a bearing and I am sure that the General Election had something to do with it. Also, the overwhelming support we have had from the public may have influenced the decision as well as the fact there was

"There's a need for clarification on 'reasonable force'.

I particularly believe that when you are faced with an intruder in your own home, the expectation that you behave reasonably doesn't seem to fit."

Mother of Omari Roberts

"My view is this: somebody has started looking at the case and thought 'Oh my God, let's speak to this boy (the accomplice) again'.

"They send two police officers to wherever he is serving his prison sentence and they get a completely different version because he can't remember what lies he told last time. They think they can't rely on him and they drop the case."

Outside court, Roberts said the experience of confronting intruders in his own home had been "horrific".

He told the press conference at the Crowne Plaza hotel in Nottingham: "The past year for me has been a nightmare. It's been very stressful. I haven't wanted the events to happen as they have happened.

"I have been taken away from my family. I have had restrictions to what I can do. I am overwhelmed that the charges have been dropped but it still hasn't sunk in yet."

Patrick Mercer, the Tory MP for Newark, said it was the Conservatives' position that the law should be strengthened to protect home-owners.

At present, home-owners are not allowed to use "unreasonable force" but he thinks this term should be changed to "grossly disproportionate force".

In 2005, Mr Mercer had his Householder Protection Bill, a Private Member's Bill, struck down.

He said: "A large number of people are arrested,

no evidence."

Jerome Lynch QC, Roberts' defence barrister, said he had not ruled out making a compensation claim.

He said: "When I first saw Omari I said: 'Boy, I have been doing this for 27 years and I am going to get you off this'. I have never been so sure of a case.



cautioned, examined, charged and then when they come to court the whole thing is dropped.

"If you raise the threshold a lot of these cases would never be brought and you won't waste the court's time and, most importantly, the home-owners."

In a statement, the CPS said: "The decision was made after significant new information was received by the CPS.

"The CPS has a duty to keep cases under continuous review and when new evidence comes to light, we are obliged to consider what effect it will have on a case.

"After receiving significant new information last month, the case was reviewed and it was decided there was no longer a realistic prospect of conviction.

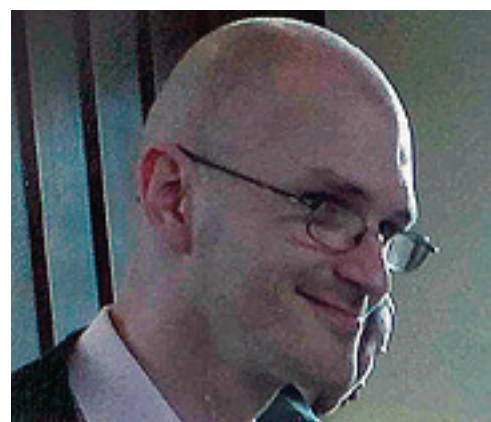
"This information was not available at the time the original decision to prosecute was made.

"We have today informed Nottingham Crown Court that we are no longer going ahead with the trial."

CONVERSE QUESTION: When faced with a burglar in their house, what level of force should home owners be allowed to use to protect themselves, their homes or their family - and why?

Write to ConScript with your views.

Third Violent Attack At Frankland



The man who kidnapped, raped and murdered teenager Ashleigh Hall is recovering in prison in Durham following an attack by a fellow inmate, police have confirmed.

Peter Chapman suffered cuts to his face during an assault that took place on Saturday afternoon at

Frankland Prison - The attack is the third high profile incident inside the prison in the past four weeks.

Three officers suffered serious injuries following a violent incident on March 13, after which one officer lost the use of his left hand after being attacked by an inmate wielding a broken vinegar bottle.

Soham child killer Ian Huntley needed hospital treatment after he was stabbed eight days later in the prison kitchens.

Chapman, 33, is understood to have suffered two 2in cuts to his face during the incident and was treated within the prison's medical unit. He did not require treatment at a local hospital.

Mike Hall, the grandfather of Chapman's victim, told the Northern Echo: "At last a bit of good news. Chapman deserves all he gets in prison. I don't think he deserves human rights and I think most people would agree. If he wants to behave like an animal, he should be prepared to be treated like one. If I could send a bottle of whisky to whoever did this, I would."

Inspector Craig Dixon, of Durham Police, said officers had been called to an incident at the prison on Saturday.

Mr Dixon, who said cases of violence in prison were treated the same as violence on the streets, said: "We would normally go to prison to interview them there, before deciding what action is going to be taken. Although an arrest isn't necessary as their liberty has already been removed, we take exactly the same route thereafter."

Chapman began a 35-year minimum sentence last month after pleading guilty at Teesside Crown Court to charges of kidnap, rape and murder, as well as breaching a sexual offences order.

The court heard Chapman lured Ashleigh to her death on Sunday, October 24, by posing as a 19-year-old on internet site Facebook and striking up an online relationship with the Darlington College student, whose body was found near Sedgfield, County Durham, the following day after she had been suffocated.

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£400K to Help Ex-Offenders!



A social enterprise set up to give paid work to people coming out of prison is to receive a cash injection of £400,000 from UK venture philanthropy pioneer Impetus Trust.

The funding will be given out over the next four years, with the aim of supporting Blue Sky Development & Regeneration to expand significantly. The aim of the donation, which is not tied to any one project, is to strengthen the organisation by providing funds for capacity building and core costs.

Alongside the funding, Impetus will provide Blue Sky with management support and specialist expertise from skilled professionals in key, capacity-building areas, in order to accelerate its growth.

Daniela Barone Soares, chief executive of Impetus,

said: "Breaking the cycle of re-offending is undoubtedly a challenging task. This is all the more reason why we must not shy away from it.

"Instead, we need to support innovative charities and social enterprises, which have proven that re-offending can be reduced.

"Blue Sky has shown that by tackling the root causes of re-offending - such as lack of skills and employability - real progress can be made."

Blue Sky works to break the cycle of re-offending, which costs the UK £12 billion each year. It offers six-months' paid employment to people recently released from prison, enabling them to move on into long-term employment.

Stable employment has been shown to reduce the probability of re-offending by up to 50%. The re-offending rate among ex-employees of Blue Sky is a quarter of the national average.

Impetus worked with Blue Sky for a year before announcing the funding, helping it to develop a scale-up plan. Impetus is now backing this scale-up plan, which would see Blue Sky able to employ seven times more ex-offenders, as part of its Impetus for London Initiative, launched last year to target poverty in Greater London.

Mick May, chief executive of Blue Sky, said: "Blue Sky is absolutely over the moon about Impetus' continued support. The funding will be invaluable, but we also take great pride in the vote of confidence and the future working relationship that comes with it.

"It is nothing less than the truth to state that we would not be where we are today without Impetus and the support of its staff and pro bono experts."

Impetus Trust works to break the cycle of poverty by accelerating the growth of ambitious, effective charities and social enterprises. It maximises the value of donations by co-investment and pro bono

expertise, and in this way has been able to generate an additional £4 in value for each £1 of funding invested.

Blue Sky Development & Regeneration is a not-for-profit company established by the charity Groundwork Thames Valley. It aims to achieve long-term benefits for society by breaking the cycle of re-offending, giving paid work to people recently released from prison, to enable them to move successfully into long-term employment.

For more information contact.

Groundwork Thames Valley,
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Denham,
Uxbridge,
Middlesex UB9 5PG

Telephone Number: 01895 839848



Foreign Sex Offender Wins Right to Stay in UK

A foreign sex offender who lived in Lancashire has won his right to stay in Britain after claiming his human rights would be breached if he was deported.

Zulfar Hussain, 48, abducted and sexually exploited two vulnerable girls, both under 16, while plying them with drugs after coming to Britain from Pakistan and settling in Blackburn.

Hussain was jailed for five years in August 2007 at Preston Crown Court. He is due to be released from custody shortly but as a foreign national who has committed a serious crime in the UK, he was set to be handed over to the UK Border Agency for deportation to Pakistan.

Instead, he lodged an appeal against deportation and was granted leave to remain by a judge at a tribunal hearing earlier this month. A Home Office spokeswoman confirmed a tribunal had upheld the appeal and Hussain had been allowed to stay in the UK.

But the Home Office said it would now seek to appeal the tribunal's decision, in a bid to overturn the ruling and have Hussain deported.

Hussain is now believed to be being held in an immigration removal centre pending the outcome of the latest Home Office appeal.

MAPPA for Potential Terrorists



Potential terrorists will be monitored in a similar way to sex offenders, new plans reveal.

Under the *Channel* project, police, local authorities and other Government agencies try and spot vulnerable individuals at risk of being drawn into violence.

It was set up as part of the Prevent programme to counter the threat of Islamist extremists recruiting and radicalising. The guidance document that has just been published sets out how the "multi-agency"

panels can assess and deal with risky individuals in their area. Similar arrangements, known as MAPPA panels, exist to manage dangerous paedophiles.

The authors write: "Channel provides a mechanism for assessing and supporting people who may be targeted by violent extremists or drawn into violent extremism.

"Channel is modelled on other successful multi-agency risk management processes."

The Home Office document sets out a range of indicators that someone may be becoming radicalised, including expressing support for terrorist groups and rejecting democratic values.

Other signs include owning jihadist literature or watching beheadings or other terrorist acts on the

internet. More subtle potential signs include rejecting friends and withdrawing from family relationships. The document also warns that "low level criminality" and violence is common in the pasts of convicted terrorists. Muslim groups have criticised the Prevent programme, of which Channel is part, claiming it involves spying on Muslims and gathering intelligence for police and the security services.

A report by MPs has warned Prevent had "stigmatised and alienated" Muslims and undermined community relations. But ministers said changes have been made to the programme.

As well as radical Islamist groups, the programme also targets the threat from Neo-Nazi extremists.

A Home Office spokesman said: "Channel is an important part of our response to the threat of violent extremism. It provides support to those who may be vulnerable to being radicalised.

"Channel uses existing collaboration between partners, where necessary referring cases to a multi-agency panel for development of the most appropriate support package for those at risk.

"By providing support to those at risk we are also working to safeguard our communities.

"This is similar to the way that we would seek to safeguard individuals at risk from involvement in crime, drugs, knife and gun crime, gangs or other social issues and uses similar, multi-agency partnership structures."

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Parole Board Chairman admits they make Parole Decisions based on selfish self-interest



Large numbers of prisoners who pose no danger to the public are trapped in jail because society has become risk-averse over whether to release them on licence, the chair of the Parole Board for England and Wales has told The Guardian newspaper.

Sir David Latham said that public reaction to cases such as Jon Venables, the killer of James Bulger recalled to prison last month, heightened the danger of politicians and parole board members making "skewed decisions" based on wrong assumptions about the risks offenders would pose to the public.

As a result, he said, "large numbers" of prisoners are kept in jail, probably unnecessarily.

"Our release rates have reduced in the last few years in a way which is arguably an over-reaction to public concern about the reoffending by released prisoners," said Latham, who became chair of the board last February. "Actually, the serious further offending rate of released prisoners is just 1-2%; a level that has remained stable for many years."

The risk, said Latham, is that "hard cases, like that of Venables, can end up making bad laws".

Latham spoke as the Parole Board is expected tomorrow to officially begin considering the case of Venables, a process that will involve calling the 27-

year-old for interview and hearing evidence from witnesses about the risk he poses to the public.

Latham said he realised his message might be "distorted" by the tabloid press but thought it was important to have the debate out in the open. He said: "Any publicity about something that goes wrong in relation to somebody being released on parole is bound to make it more difficult to present the argument to the public that we have to operate in a way which means that some risk has to be accepted."

"People might think I'm saying we were right to release Venables in 2001 but what I'm saying has nothing to do with the release of Venables. That's a far more difficult and complex debate."

"What I'm saying is: Please, we're a risk-averse society. Don't let that skew us when making decisions and don't let hard cases make bad law."

In the context of the Venables case, he said: "One can only hope that ultimately, people will be prepared to appreciate that those of us who have to make these difficult decisions will do so fully accepting the way the public is likely to react."

"But we have none the less to make our decision based on the material before us and applying the statutory tests imposed on us."

"If we took any other attitude, we would be moving towards simply not releasing anybody unless and until we were certain they were never going to offend again and that's not an acceptable, civilised approach to the job we have to do."

"In this sort of context, we're not talking about whether they're going to misbehave; we're talking about the risk to life or limb. Which may or may not be what we're talking about in the context of Venables."

Latham admitted he was worried about how his

message would be interpreted by the public. "I am concerned by the way this [interview] could be used by the tabloids to distort the real value of what I'm trying to say but it is important to have this debate."

"Society needs to realise that we can't create a world which is free of risk. What society has to determine, is what level of risk it is prepared to accept."

"I'm concerned that the society we're presently living in, is becoming too risk averse. That means that society is perhaps unrealistic about the level of risk it should be prepared to accept."

The consequence, said Latham, is that "real injustices" are allowed to occur. Unless society was prepared, he added, to take a "more sophisticated

attitude" to the risks posed by prisoners released on licence, the criminal justice system would continue to incarcerate people, who would never reoffend if released, for many years longer than they were sentenced to by the court.

That is unjustifiable, he said. He pointed out that society had agreed it is wrong to deprive people of their liberty for something they might do.

Once the tariff period for the offence has been served, there needs to be a proper and rigorous justification to keep anyone in prison, he said.

"I'm not confident that justification can be honestly made in all cases at the moment. It follows that there are a very large number of people who are in prison and going to remain there who will, in fact, never offend again."

"That seems to me to be an uncivilised approach to punishment on the one hand and a betrayal of society's right to protection from those who offend, on the other."

Keeping prisoners in jail for longer than necessary is not just contrary to their human rights, he argued, it is also detrimental to society in general.

"Firstly, within prisons, the position is that there is a very large population of prisoners who do not know when they're going to be released even though they have completed their tariff period in prison. That's not good for discipline or morale."

the
Parole
Board
working with others
to protect the public
our own ass

"Then, the longer they're in prison the more difficult it is for them to be rehabilitated, which is a very real problem."

"Finally, it costs us a lot of money: you, me, the taxpayer. We have people in prison costing the country a lot of money for no benefit."

While praising the justice secretary, Jack Straw, and his predecessor, Lord Falconer, for defending the independence of the board he also criticised the former home secretaries John Reid and David Blunkett for their interference.

"I think Reid's intervention, particularly in 2006 when he criticised the board for the level of releases, had a significant effect on release rates."

"The proof is there in our release rates, there's no getting away from it."

"None whatsoever."

"You can say: 'Ah, but we're independent so are not affected by it,' but we're people."

"If the Parole Board members feel they will be pilloried if they make a mistake, that's bound to have an effect on the way they're going to decide things."

Some prisoners who had negative parole decisions made in the weeks following the then Home Secretary John Reid's criticism of the Parole Board on 14th June 2006 have already told Converse they are speaking to their lawyers to see if they can get the decision overturned.

**"You can say:
'Ah, but we're independent
so are not affected by it..'
but we're people.
If the Parole Board
members feel they will
be pilloried if they make
a mistake, that's bound
to have an effect on the
way they're going to
decide things."**

**Sir David Latham
Chairman of the Parole Board**

‘Most Wanted’ Armed Robber Caught in Amsterdam



One of Britain's most wanted armed robbers has been arrested by Dutch police in Amsterdam.

James Muldoon (left), 30, of Liverpool, was held at a flat in the Amstelveen suburb of the city. The Serious Organised Crime Agency (Soca) said he was caught after a tip-off weeks after his name appeared in a list of wanted men.

Muldoon was the first of six men whose identities

were released in March who are thought to be hiding in the Netherlands to be caught.

He was convicted of stealing goods worth £41,000 from two lorries at a Grantham depot in which a security guard was attacked and jailed for 13 years in his absence. Senior officers suspect the Dutch city has become a popular haven for crooks looking to keep out of the reach of the law.

Fugitives are attracted to the area because it is English-speaking with established, and partially-legalised, drug and prostitution networks.

The public appeal, orchestrated by Crimestoppers, follows in the footsteps of a similar crackdown

targeting the "Costa del Crime" of southern Spain. The other five men wanted for serious crimes committed in Britain, including drug smuggling, selling weapons, robbery, manslaughter and rape, remain on the run.

Another man, Anthony Mills, 41, of Beckenham, south-east London, who was pulled from the list at the last minute, was held last month.

He is suspected of being a key figure in an international skunk cannabis smuggling ring that brought drugs worth at least £62 million into Britain. A spokesman for the Serious Organised Crime Agency (Soca) said Muldoon now faces extradition

to Britain to serve his prison sentence.

The remaining five most wanted are killer Brian Bradshaw, robber Brian Waite, suspected drug smugglers Dion Lee and Edward Morton and rapist Rezgar Zengana.

Last year, one of Scotland Yard's most wanted men, Noel Cunningham, was caught in Amsterdam after several years on the run - he escaped from a prison van in 2003 as he was escorted from Brixton Prison to face trial accused of a £1 million armed robbery. In December, fugitive kick-boxer Adam Hart, a suspected cocaine trafficker from Essex, was arrested in the Dutch city.

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Dick Turpin and Co of the Assets recovery agency seem to have had a fun filled year apparently. Rumour has it they made £26 million last year, which could buy you about 30 million tins of tuna or about 12 million half ounce packs of tobacco if you didn't have to buy them from Aramark.

The good news though is that in a Home Office Consultation document published about 2 or 3 years ago their target was actually about 500 million mars bars worth (at current exchange rates on the Tesco Chocolate Exchange Market) so they aren't actually doing as well as they were hoping.

Although I would love to take the credit for them not reaching anywhere near their target regrettably I may get sued (or worse still have my door kicked in at 6 in the morning) if I do. Having said that, I do believe my team and I have made a damn good contribution to them not reaching those targets!

Those amongst you who've been bitten in the backside by the POCA Monster will appreciate the size of those canines. Once they're sunk deeply into your gluteus maximus, they aint letting go - believe me!

The best way of avoiding those fangs is to either be a good lad or laddess by staying out of trouble or run so fast they never catch you; both options may be a bit late for many of you. There

is some good news though, the fact there is a third option to develop your own fangs bigger and sharper than theirs and then bite them back in exactly the same place! Yes, they have a set of gluteus maximus as well!

An essential element of The Proceeds of Crime Act, POCA as it's lovingly called, is that the onus is essentially on the defendant to prove the case in his or her defence whilst the prosecution simply make assumptions then sit back. The second problem is the fact that they will usually go back 6 years and make the assumption that pretty much every penny you've earned and every penny you've spent is from dodgy activities.

Of course they will then double count and probably triple count everything to arrive at a benefit figure with so many zero's on the end to give the impression they now have the real Pablo Escobar. Of course we all know this Pablo Escobar probably has to blag a roll up from his pad mate because all the hidden billions are tied up in lucrative high return investments in the derivatives and futures markets of Far Eastern Stock Exchanges...or were spent on board meetings held in McDonalds car parks and smoking roll ups all day, in a previous life!

The fact is that you should actually expect them to take that approach since they get to keep a big chunk of whatever wonga they get off you. Expect them to triple account and quadruple account everything but then you equally should be geared up with your defence team to combat all that as part of your defence strategy. And yes, of course it's possible to present a good defence to win this fight if it's done carefully with a lot of preparation and thought.

As with any fight you should expect the opposition to land some good punches to the best of their ability and hope they get a knockout. If you're in that fight though you also should be in a position where you can pull out that special punch and win with a knockout they just weren't expecting!

That's were your defence team should have earned their money by thoroughly training you so you were prepared to land that punch at the right time and win preferably by a knockout but if not then at least on points!

As we all know, Mohammed Ali and all the other boxing greats never started their training the night before the fight but months and months beforehand. They were getting ready not just physically but also mentally and emotionally and most importantly they had the likes of Angelo Dundee and Don King on their team managing and training them- that's what results in the knockout punches!

Of course having said that neither Angelo Dundee nor Don King would be able to do much if Ali had just come to them the night before the big fight and asked them to help. So the motto is think it through and sort it out early, don't stick your head in the sand thinking its all going to be all right and then want to change horses at the last minute when you've been more less totally taken to the cleaners!

For those amongst you still confused, trying to find the meaning of "gluteus maximus" either ask your pad mate tonight to help you find them and if that doesn't work then send us a few mars bars and we will assist.

Mahria Khatana is Director and Chief Slayer of POCA Monsters at POCA Consulting Ltd - her details are above.

Online Sex Offenders 'not given appropriate sentences'



Harry Fletcher, Assistant General Secretary NAPO

Online paedophiles are being handed short jail terms or even community service and not being rehabilitated, a report found.

The study raised serious concerns about the sentences given to offenders caught with child sex abuse images. It warned "high risk" offenders were not being locked up for long enough to take part in treatment. The maximum penalty for possession of child sex abuse at the Crown Court is 10 years in prison.

But the probation officers' union Napo uncovered sentences of jail terms of less than a year, or community punishment and paedophiles could not be made to join SOTP course despite pleas from probation officers, the report said.

Harry Fletcher (above), assistant general secretary of Napo said:

"In Napo's view it is inappropriate that either no treatment, or sentences too short for treatment, are handed out by the courts.

"There is evidence that treatment in prison, followed by relapse follow up on licence in the community, is effective and reduces reoffending.

"These are not victimless crimes. There is an urgent need to review sentencing practice and law to ensure that risk to children is

minimised."

He also warned proposed cuts to probation funding would mean fewer paedophiles going into treatment and a greater risk to vulnerable children.

The dossier contains evidence of 68 cases from 20 probation areas across England and Wales.

In one case, an unnamed offender was caught with more than 24,000 indecent images including those at level five, the most serious forms of abuse.

Despite being deemed high risk to children, he was given a 12 month suspended jail term and calls for an intensive treatment programme were not followed.

In another a man was caught with 21,000 images, including very serious abuse, and was given an 18 month term with no treatment attached.

Sex offender treatment programmes are available in 26 out of the 140 jails in England and Wales. There are more than 7,500 sex offenders currently behind bars.

A Prison Service spokesman said around 2,400 paedophiles were treated on its Sex Offender Treatment Programme last year.

He said: "Sentencing in individual cases is entirely a matter for the courts.

"Sex offender treatment programmes are delivered in prison and the community while the offender is on licence or under a community order."

Spy Cam Teacher Jailed



A teacher who used a teddy bear to secretly film young girls as they showered in the bath room of his south east London home has been jailed for three years.

Tom Cole installed a covert camera in the bear and filmed two girls aged 10 and 15 as they undressed and showered at the

house in Sidcup. Cole, who taught archery to school children was caught after an internet service provider told police hundreds of indecent images of children were being downloaded to his computer. Police searched his home and found more than 500 indecent images of children on his computer, along with videos of the two young girls.

Jailing Cole for three years, judge Stephen Robbins told him: "Courts, when passing appropriate sentences, have to reflect the absolute revulsion felt by the public and these girls and their families. You know the time has come when you must be punished for these entirely vile and

repulsive offences that you committed."

The judge said Cole had made a "gross breach of trust" placed in him by the girls and added: "These offences are so serious immediate custodial sentences, and lengthy ones at that, are appropriate."

Cole was also ordered to sign the sex offenders' register for life and was banned from having any further contact with children under 16. Cole was jailed for 18 months for two counts of voyeurism and a further 18 months for 14 counts of downloading indecent images of children, aged seven to 14. He was also jailed for 15 months concurrently for having extreme child pornography.

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'Sadistic' Children's Charity Boss Jailed For Life

Young Person's Advisory Service



The "sadistic" former boss of a children's charity has been jailed indefinitely after he admitted torturing prostitutes in a string of brutal sex attacks.

Matthew Byrne, 38, who was a director of the Young Person's Advisory Service, beat the women with a cane and tried to suffocate them for his own sexual gratification, Liverpool Crown Court was told.

He pleaded guilty in March to five counts of sexual assault and four child pornography allegations involving around 9,000 images.

Judge John Phipps ordered that Byrne be jailed for an indeterminate sentence for the public's protection and cannot be considered for parole for at least three-and-a-half years.

The judge told Byrne: "You subjected your victims to sadistic attacks of the most extreme kind.

"One of them said it was torture and that seems to me an apt description of what you did."

Peter Davies QC, for the prosecution, earlier told the court Byrne would pick up the vice girls and take them to his Merseyside home where he had transformed a bedroom into a "torture chamber".

Police found a double bed with shackles and manacles tied to each bed post.

A leather collar, cane and rope were seized along with a number of sex toys, polythene bags, heavy duty tape and schoolgirl clothing and underwear. Byrne, the court heard, would force the prostitutes to wear the costume then tie them down and insert a gag into their mouths.

Mr Davies said as the women struggled for air, he would beat them with a cane between 20 and 40 times, inflicting "excessively painful and bleeding injuries" as he pleased himself.

"This was a campaign of planned, deliberate and violent exploitation," the prosecutor said.

The court was told Byrne cruised Liverpool's red light districts picking up the prostitutes.

Often he would blush during their initial conversation and gained the trust of vice girls by appearing polite and pleasant and offering an "over the odds" £80 for sexual intercourse.

Mr Davies added: "Each of these girls was vulnerable. They were all desperate for money to feed their addiction to drugs.

"As such they were easy prey to the temptation of easy money offered by an apparently articulate, well mannered and intelligent man who was intent on exploitation.

"Each girl was blissfully unaware they were being deceived and had let themselves in for something quite beyond their expectations."

Quoting one of the four victims, Mr Davies said: "His demeanour and mood became intense. He was in a zone as if a sheet had come over him. There was a darkness in his eyes."

The Young Person's Advisory Service said that it was pleased with the sentence, and it hoped that those it was designed to help, young people, would now benefit from its services and the organisation could put the last year behind it and move on to a brighter future..

Fantasia's Child Porn Plot to Wreck Family

A love sick worker was so obsessed with one of his work colleagues he tried to frame her husband for possessing child porn.

Ilkka Karttunen, 48, even broke into her house in Southend while she and her husband slept and fitted a bugging device to download the contents of their home computer.

Karttunen collected a series of child porn images and sent them on a pen drive to police, along with a vindictive hand-written note, alleging the innocent man was a paedophile.

The anonymous letter claimed the item had been stolen from a house in Southend, leading to the arrest of the woman's innocent husband in front of their children and the seizure of a computer.

While the dad was being investigated, he could not see his kids, but when police turned the investigation on Karttunen, they found pictures and bank statements of the couple and their children. At Basildon Crown Court, Suzanne Stringer, prosecuting, said this had turned the life of the work colleague and her husband upside down and they had yet to fully recover.

She said: "This had a devastating effect on the family, as he was given no access to his young children or his home while he was under investigation and he had to live with the trauma of being accused of crimes against young children, of which he is wholly innocent.

"Karttunen had hoped to have an innocent man arrested and imprisoned so he could take his place in the family."

Police became concerned Karttunen's behaviour as he had showed up at his colleague's home when her husband was at work.

Detectives managed to build a case against Karttunen with specialist computer software designed for use in terrorism cases.

They proved the pen drive sent to Essex Police had been in the back of Karttunen's home computer and had been used to create a fictitious e-mail account in the husband's name.

He had also used a device plugged into the back of the family's computer to get all their passwords.

At his workplace, in Basildon, police officers found a covert recording device linked to the family home which contained details of their private conversations. Karttunen, who is of Finnish nationality, was jailed for four and a half years at Basildon Crown Court on Friday, made subject to a restraining order and ordered to register as a sex offender.

Well I'll be Doggone! 1.

A man responsible for a terrifying carjacking at gunpoint was jailed thanks to crucial DNA from his pet dog. Hairs and blood samples were matched to Peter Mahoney's Staffordshire bull terrier, Buster, inside the car he stole.

Mahoney, 33, of Anerley Road, Norwood, south east London, was given an IPP sentence and told he will serve at least four years behind bars.

Maidstone Crown Court heard he racially abused a customer in a shop in Anerley Road, Norwood, after an exchange over the use of a mobile phone on November 5, 2008.

Mahoney went to his house nearby, fetched an air pistol and returned to look for the victim. He then shot him in the face as he sat in his car, leaving him with a pellet permanently lodged in his jaw.

The next day in Dartford, Mahoney pulled on to a petrol garage forecourt where he told a group of teenagers he was a police officer before producing an air pistol and stealing their car - it was found burnt out six days later, but dog hairs and blood left behind by Buster led to his eventual conviction.

Detective Constable Geoff McCreery, of Kent Police, said: "Even though the car had been set alight, there were forensic opportunities we could harvest.

"A few days later I got a warrant to seize Buster and took him to a vet who took hair and blood samples. "These were then matched with those found in the Audi, along with forensic evidence, which linked Mahoney."

Mahoney was charged and pleaded guilty on the day his trial was meant to start to racially aggravated wounding and possession of a firearm on November 5, 2008 and robbery and possession of an imitation firearm the following day.

Well I'll be Doggone! 2.

The murder of 16-year-old Oluwaseyi Ogunyemi in south London was solved by the science of genetic profiling but not of a human killer - instead it was used to single out two dogs.

No murder weapons were ever found.

However, scientists used DNA profiling to prove that samples collected during the investigation were a billion times more likely to come from two specific dogs than any other animals.

The results conclusively linked them to his death.

The dogs used in the attack on Oluwaseyi were an adult male pit bull-mastiff cross named Tyson and an adult pit bull-Staffordshire cross called Mia.

The case was viewed as highly unusual because dogs were deployed as weapons before Oluwaseyi was repeatedly stabbed and beaten to death.

The dogs also received several knife wounds in the attack.

Tyson, who was owned by Chrisdian Johnson, 23, left a blood trail when he and his owner ran away from the scene of the crime.

When police arrested Chrisdian, his victim's blood was on his hands and there was also blood from his dog on his body. Saliva from the other dog Mia, owned by Darcy Menezes, 18, was discovered on torn clothing found in the park.

Mr Menezes was cleared of murdering Seyi and the attempted murder of his 17-year-old friend Hurui Hiyabu.

Forensic zoologist, Dr Rob Ogden, said: "The probability of seeing the same DNA in another dog is less than one in a billion.

Chrisdian Johnson was found guilty while his brother Shane was cleared of all charges, he will be sentenced at a later date.

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Let Me Vote - Or I'll Sue!

**Inmate Issues Legal Action Over Being Banned From Voting FIVE YEARS
After The European Court Ruled The Ban Unlawful**



A prisoner has issued legal action against the Government for blocking him from voting in the General Election, a law firm said today.

Leon Punchard, 19, who is currently serving an 18-month jail term at HMP Norwich, filed an application to the European Court of Human Rights (ECtHR). His solicitors have said Punchard was seeking a "declaration and compensation from the UK government for its failure to take the necessary steps to allow him to vote".

Five years ago the European Court of Human Rights ruled it was illegal for ministers to deny voting rights to all prisoners.

Since then the Government has held two public consultations on the issue but has not changed the law.

A spokesman for the law firm said a letter was sent to Justice Secretary Jack Straw earlier this year

"requesting immediate steps" be taken to allow Punchard to vote.

"No such steps have been taken and, with the date for registering to vote having now come and gone, Mr Punchard is barred from voting," the spokesman said.

"With no other remedies available to him under the domestic legal system, Mr Punchard has no alternative but return to the ECtHR seeking a declaration and compensation from the UK Government for their breach of one of his most fundamental convention rights."

Punchard, who was convicted in December 2009, is due to be released in July - two months after the election.

The law firm's spokesman said Punchard was jailed for an offence committed in Norfolk in October last year.

Punchard, of Motum Road, Norwich, was handed an 18-month term in a young offenders' institution on December 1 last year.

He was convicted of burglary and had a further 68 offences, including theft, taken into account by the judge sentencing at the court.

A Norfolk Police spokeswoman said Punchard was arrested over a dwelling burglary in Norwich which happened on October 3 last year.

She said a television was stolen from the property. Last year, Justice Minister Michael Wills confirmed it was "unavoidable" that some inmates would be given voting rights.

A Ministry of Justice spokesman said: "A two stage consultation process on prisoner voting rights took place. The second stage consultation has closed.

"The Human Rights Act does not limit Parliament's freedom to pass legislation. If primary legislation is incompatible with the ECHR, the domestic courts may make a declaration of incompatibility but the provisions remain in force.

"It is for Parliament to decide how to respond to that declaration, taking into account the UK's international obligations."

Juliet Lyon, director of the Prison Reform Trust, said: "Sentenced prisoners' voting should be a right, and a civic duty, as it is in almost all other Council of Europe countries.

"Picking and choosing which laws to obey and which to disregard is a terrible message for any government to give to its citizens.

"When 70,000 people are unlawfully barred from voting you can expect challenges."

Peter Johnson, deputy editor of Converse said: "It is an outrage that the Government has failed to abide by the terms of the European Court's judgement in 2005, there have been two government consultations but still no response on what is to be done.

"Prisoners who feel aggrieved that they have lost the right to vote in this General Election should contact their lawyers as Mr Punchard has done and raise an action to challenge it - and law firm in Converse will be able to help in this regard and they should start right away."

Cop Cleared in Death Crash



A policeman who killed a grandfather by hitting him with his patrol car while responding to an emergency call has walked free from court.

Pc John Wright, 40, reached speeds of up to 93mph while responding to reports of an intruder at a house in Surrey. His car, with lights flashing and sirens blaring, was travelling at 77mph when it collided with Archibald McIlveen.

The 75-year-old grandfather, who was crossing a 40mph stretch of dual carriageway near his son's house on his way to a nearby train station, was killed instantly. It took the jury of six men and six women at Reading Crown Court just over two hours to find Wright, who lives on the Isle of Wight, not guilty of causing death by dangerous driving. He was also cleared of an alternative charge of causing death by careless driving.

Wright broke down in tears as the jury forewoman read the verdicts to the court, covering his head in his hands.

Members of Mr McIlveen's family, including his son Andrew, listened to horrific details of the accident during the week-long trial and left court as the police officer was being cleared of all charges. Mr McIlveen was described in court as a fit and healthy pensioner who had spent the day looking after his two grandchildren at their home after a babysitter let his son down.

He left the house at 7pm to catch a train to his home in Islington, north London, and was struck by Wright's patrol car shortly afterwards.

The police officer was found crying by the side of the road after the collision. Dog handler Simon Boylett, first on the scene, told the court Wright said: "I've killed someone", before adding: "He just walked out in front of me. There was nothing I could do."

The impact left the roof of the Ford Mondeo car buckled, with the windscreen smashed.

Wright, who joined Surrey Police in 2000 and lives with his family on Colwell Road, Freshwater, on the Isle of Wight, was classed as a grade-three intermediate officer, and was placed on office duties when charged over the death.

He has previous convictions for driving at up to 38mph in a 30mph zone, and driving while using his mobile phone, both of which were committed off duty.

Judge Gordon Risius told the court after the verdicts were read out: "I very much express hope that Pc Wright and Mr McIlveen's family will be free to leave this terrible tragedy behind them."

Wright was too upset to speak outside court, but solicitor Susan Freeburn said on his behalf: "He would like to publicly pass on his condolences to the family of Mr McIlveen.

Sex Offenders Cannot Be Extradited from Switzerland



Moves to extradite a sex offender who raped a 15-year-old girl have so far proved unsuccessful, police have confirmed because of legal technicalities with Swiss law.

Detectives were hoping to bring Richard Guelbert back from Switzerland after he was traced through Facebook.

The 48-year-old was jailed in 1999 for 12 years after he was convicted of raping the girl in Nottinghamshire.

He was released in 2005 after he served half his

sentence, but was subsequently recalled to prison. He was freed again in January 2008 and told police he was living in South Normanton, Derbyshire, but he failed to sign the Sex Offenders Register and the authorities lost track of him.

Last month, he was traced to the remote Swiss village of Obermumpf, about 30 miles north-west of Zurich after police appealed for information as to his whereabouts.

Officers from Derbyshire Constabulary have since visited him and been in touch with Interpol and The Child Exploitation and Online Protection Centre as part of its investigation.

But a spokesman for the force said it had so far failed to bring Guelbert back to the UK.

He said: "We would like to stress that every effort has been made to return him to England under all of the available legislation.

"Unfortunately, to get a warrant, there needs to be a like-for-like offence between the two countries.

"We have attempted to obtain an arrest warrant but because breaching a Sex Offenders Register is not an offence in Switzerland, we have been unable to

obtain a warrant. We realise this is not only frustrating for ourselves but also to the victim in this case."

Guelbert's victim, now 27, told the Derby Telegraph she was shocked he could not be extradited to the UK.

She said: "At least I know that if he never returns to England, myself and my children will always be safe. That has to be my priority.

"Before he went to Switzerland, he must have known that he could get away with it. He must have looked into which countries would extradite him.

"I hope the Swiss authorities keep a close eye on him. I would hate for him to ruin some other child's life in the way that he ruined mine."

Derbyshire Constabulary said earlier that at the time Guelbert fled to Switzerland he was not subject to any travel banning orders although he did breach the terms of his sentence by failing to sign the Sex Offenders' Register.

Had police known he planned to travel overseas they would have tried to seize his passport, a spokesman added.

Suspects Handed Over By UK Troops 'Face Torture'

British troops are handing over Taliban suspects to the Afghan authorities to face "horrible abuse" and torture in breach of human rights laws, it has been claimed at the High Court.

The UK Government's denials of such abuse were the result of a "head in the sand" attitude, two judges were told.

The accusations were made by anti-war activist Maya Evans, from St Leonards, East Sussex, who is seeking judicial review of the Government's detainee transfer policy in Afghanistan.

Defence Secretary Bob Ainsworth, who says "safeguards are in place to prevent mistreatment", is opposing Ms Evans's legal challenge, which is expected to last 10 days.

But Ms Evans's QC submitted that the Ministry of Defence and Foreign Office were seeking to protect their detainee transfer policy by adopting the approach "of seeing no evil, hearing no evil and speaking no evil".

Ms Evans is being represented by public interest lawyers, who have gathered together material they say shows a wide range of abuse of suspects handed over to the National Directorate of Security (NDS), a secret service organisation in Afghanistan. They say the "horrific brutality" of NDS is well documented, and the UK detainee transfer policy violates Article 3 of the European Convention on Human Rights, which protects against inhuman and degrading treatment.

To date the lawyers have assembled details of nine cases involving allegations of beatings, electrocution, sleep deprivation, individuals forced into stress positions and whipping with rubber cables.

Michael Fordham QC, appearing for Ms Evans, said in court: "The issue in this anxious case is whether the practice of handing over of suspect insurgents to the NDS is compatible with Article 3."

He told Lord Justice Richards, sitting in London with Mr Justice Cranston: "We will submit emphatically that it is not. It never was."

"It should not have started in July 2006 and it most definitely should have stopped in November 2007."

On November 13 2007, Amnesty International



published a report that the NDS was torturing prisoners "and that its abuses remained hidden from view".

In documents put before the judges, Ms Evans's lawyers argue there are many reputable reports that torture and other serious ill-treatment is "endemic" in the NDS and routinely resorted to by NDS officials - "even at a very high level".

According to a Washington Post article in 2002, the secret service organisation was a relic from the days

when Afghanistan was a Soviet client state.

It was created in the image of the KGB and had a reputation for torturing and killing that had not changed over the years.

Ms Evans's lawyers argue in the documents the UK Government has chosen to rely on a "manifestly



unsafe" memorandum of understanding with the Afghan authorities that international human rights obligations would be observed by the NDS.

But the NDS was not committed to the memorandum and had shown "disregard and even contempt" for its terms, they say.

Afghan President Hamid Karzai and the head of the secret service, Amrullah Saleh, had demonstrated that any compliance was dependent on short-term political expediency, they add.

Meanwhile the monitoring of the memorandum was manifestly inadequate, they say.

The UK's "head in the sand" approach was a result of it not wanting to uncover evidence of human rights abuses and it therefore refused to investigate thoroughly, they claim.

The fact that the NDS supplied intelligence to the UK was no secret.

Before the start of the hearing Ms Evans said: "This case is about human rights and whether our Government has been complicit in torture."

"This could possibly be yet another example in a long line of human rights abuses abroad this country is responsible for."

"We need a full investigation of our policies in Afghanistan and reforms to ensure that torture is stopped."

The Government is being represented in court by James Eadie QC.

He has already warned that the consequences of the legal challenge are "potentially serious and far reaching".

He said at a preliminary hearing last year: "The outcome might have a real and immediate impact on the lives of Afghan citizens and the protection of British and allied servicemen."

The legal challenge follows investigations carried out by the Royal Military Police (RMP) into four detainees who were captured by British troops and handed over to the NDS. RMP officers visited Pul-e-Charkhi jail in Kabul after the inmates complained about abuse.

One detainee said he was punched and repeatedly hit over the head, and a second prisoner said he was subjected to stress positions and sleep deprivation. Two others said they suffered electric shocks and were beaten with a cable.

The hearing continues in the High Court.

Veterans In Prison Conference 'An Outstanding Success'

*Rehabilitating Veterans
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The first national conference of the charity **Veterans in Prison Association (VIPA)**, was hailed "an outstanding success" by **Dave Wilson, VIPA's Chief Executive**.

The sell-out Conference brought people from all four corners of the country, with some travelling from as far away as Holland, was held in London 16th April.

VIPA President Lord Ramsbotham, himself a former Army General and, in addition, a former Chief Inspector of Prisons, spoke passionately about how urgent action was needed with all parties working together.

Lord Ramsbotham said a minister with Cabinet status was needed to improve the treatment of war veterans, adding that creating the post would help the thousands of former servicemen left on the scrap heap after leaving the forces.

He said a minister for veterans would be able to work with Whitehall departments to ensure they were properly cared for.

"Up to a third of all homeless people are former soldiers, sailors and airmen, many of them suffering from post-traumatic stress disorder, we must not fail them."

As many as 8,000 veterans are in jail - nearly 10 per cent of the prison population - according to a study by the National Association of Probation Officers. The Government says the figure is nearer 2,500 - around 3 per cent.

Lord Ramsbotham told the conference:

"It is an absolute scandal they are denied the help they need. This can start them on the road to prison." The current minister for veterans, Kevan Jones, is a junior minister who reports to the Defence Secretary. Lord Ramsbotham said: "I'm very sad that the minister for veterans is in the Ministry of Defence."

"The post should be in the Cabinet Office, because it comes with a lot of weight behind it and it should carry influence across other departments, including health, justice, work and pensions."

The treatment of UK veterans is in stark contrast to how veterans in the USA are treated.

American veterans have their own dedicated hospitals and their own government department, the Veterans' Association (VA).

Importantly, they are given easy access to a host of support services from disability compensation to mental health treatment.

They get free university education and books, advice and finance to start a business, and free holidays in military 'hotels'.

There is also access to military facilities like golf courses, gyms, and canteens for life, and discounts on loans, car and home purchases and insurance. A message on the department's website reads: 'Welcome to the Department of Veterans Affairs, and thank you for your service to our country.'

Quoting Abraham Lincoln, it goes on to say: 'The



L-R: Dave Wilson, (VIPA Chief Executive); Simon Weston (VIPA Patron); Will Thurbin; and Lord Ramsbotham (VIPA President)

VA was established for one purpose: To care for him who shall have borne the battle and for his widow and his orphan.'

In the UK there are bitter accusations that the Government has broken the 'military covenant' which promises a duty of care to soldiers, sailors and airmen in exchange for them risking - and all

too often giving - life and limb for their country.

VIPA has its next conference in Manchester in October.

Contact VIPA: PO BOX 116 Manchester M9 6WS

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Spotlight on HMP THE MOUNT

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all cells with integral sanitation. Narey Unit has only recently opened and houses 48 (mainly Life sentenced) prisoners. The Annexe houses 36 single cells where prisoners have their own personal door keys and use communal sanitation. On arrival prisoners go to Howard Unit (New Arrival and Assessment Centre) and can progress to the better equipped enhanced units.

PRISON SHOP: Prisoners order their requirements and items are 'bagged' and delivered to the wings on a Thurs or Fri.

VISITS: How to get there. By train from

Euston to Hemel Hempstead, and then bus from the station to the prison. By tube Metropolitan Line to Chesham, buses from tube station to the Prison.

No bus service on a Sunday from London Victoria, Hemel Hempstead or Chesham Bus Stations. There is no special transport provided. Visiting Times:

Official Visits: Mon, Tues, Fri 0900 – 11.00. Social Visits - week days: Thurs and Fri 1400-1600. Weekends: Sat and Sun 0900-1100, 1400-1600.

Notes: Official Visits must be requested by fax on official headed paper to 01442 836301. Social Visits arranged through a pre-booking system, telephone 01442 836352 or by email to SocialVisits.The

Mount@hmpr.gsi.gov.uk. No property handed in on visits. Visitors Centre, refreshments, baby-changing facilities, also a pay phone facility. A lift is available for disabled visitors. A pay phone system is available for the public in the Gate Area. In the

Visits Hall there is a Children's Play Area.

OMU: The unit has 11 Offender Supervisors are both seconded staff of Hertfordshire Probation Service as well as HMPS staff all managed by the

Head of Offender Management. The unit runs a weekly Activities Allocation Panel at which prisoners are allocated to activities according to their sentence plans. This process takes into account the risks and needs of IPP and other priority groups of prisoners.

LEARNING & SKILLS: Modern purpose-built Education Centre. English for Speakers of Other Languages (ESOL) is offered, as well as a

wide range of courses: Cookery, Basic Skills (Literacy and Numeracy) Languages, IT, History, Geography, Business Studies, Social and Life Skills, Wider Key Skills, Travel and Tourism, Art. A large

Library is run by the Hertfordshire Library Service

which supports education and vocational training provision. OU students are also catered for.

OBP: CALM and ETS are available and the RAPt programme is available to address long term drug addiction.

WORKSHOPS: The prison industrial complex provides training and work opportunities including fabrication welding, double glazing, woodwork & joinery, diagnostic testing, PICTA and Industrial Cleaning. Bricklaying, plastering and multi-skills are provided through a partnership with John Laing Training Foundation. The prison insists that all prisoners are employed in some form of activity. Other work is provided in the Kitchen, Works Department, Canteen, Stores, and Farms & Gardens. NVQs are provided in many work locations.

GYMNASIUM & SPORTS: A modern purpose built Gymnasium, with large separate weights room, a sports hall and a well equipped fitness suite. Outdoor facilities – rugby pitch with changing & showering facilities. The PE staff run a full programme of recreational & vocational activities throughout the week (Sunday-Saturday).

HEALTHCARE: Healthcare Services are provided by West Herts Primary Care Trust (PCT). The HCC provides, GP services, dental facilities, Optician, foot health, sexual health clinics, long term conditions clinics, (Asthma, Diabetes, Heart Disease, COPD, Epilepsy, etc), nurse triage, older prisoner care (specific named nurses) and "stop smoking" clinics.

FOOD: The kitchen is a modern, purpose-built building. The kitchen staff comprise a Food Services Manager, Head Chef and Caterers who are all civilians and a prisoner working party. Dinner is the main meal of the day and is served in the evening with a pre-select menu system.

ESTABLISHMENT REPORTS. Latest HMIPC Report Published April 2010. The Mount is a large and sprawling category C prison, whose prisoners

mainly come from London. Both its layout and its population mean that it is not an easy prison to manage safely. Its extensive perimeter requires

constant policing to prevent the entry of drugs and other illicit items and the design of its older units make supervision difficult. Its population – of whom

nearly 30% are foreign nationals and nearly 60% from black and ethnic minority communities – is

very different from that in the surrounding area, and from the staff profile. Some have links with London gangs.

Despite the considerable efforts of managers, it was therefore difficult to ensure safety in the prison. They had succeeded in reducing the supply of drugs into the prison, and there was good support for

prisoners who had used drugs. Procedures for supporting those at risk of suicide and self-harm were on the whole good. However, systems to deal with violence and bullying were less well

embedded. A high proportion of prisoners, particularly in two of the older units, had felt unsafe in the prison, and it was clear that there was a

significant amount of bullying, usually related to drug debt – though not always debts incurred in the establishment, or by the victim himself. There had

been a number of serious assaults, and a recent death in custody was linked to drug debt. There were no formal interventions for bullies, and their

victims often sought sanctuary in the segregation unit, usually as a preliminary to being moved out. Staff-prisoner relationships, particularly at a one-to-

one level, were relaxed, and most prisoners said there were staff they could turn to. Staff did, however, appear to find it more difficult to deal with

prisoners in groups, and some were not confident in challenging poor behaviour.

There was limited supervision on the older wings and during free movement to and from activities, when prisoners felt particularly vulnerable. In spite of some good systems, black and minority ethnic

prisoners continued to report poorer prison experiences in our survey than their white counterparts.

This was also the case for Muslim prisoners. This is something that we have reported on in previous inspections, and it remains a matter that needs

attention and remedial action. Foreign national prisoners, however, were in general better supported. The amount and quality of purposeful

activity at The Mount was commendable, though time out of cell figures exaggerated the number of hours prisoners were out of their cells.

Nevertheless, there was sufficient work and education for the population, and it was of generally high quality, with opportunities for prisoners to gain

vocational qualifications. The only weakness, unusually, was PE, where there was not enough

access and inadequate facilities. This did nothing to diffuse the tensions on the wings.

Resettlement provision was reasonable, though it was not based on an analysis of need. The Foundation Training Company provided good accommodation and pre-

release work, and there was good work on substance use, though it did not include alcohol. Links with employers were being

developed. However, there were weaknesses in offender management, especially for

indeterminate-sentenced prisoners, and no provision for benefits advice. At the time of the inspection, The Mount was a

somewhat unsettled prison. Violence was not far below the surface and it was not clear that staff were all confident in dealing with its causes and manifestations. The

prison's layout, staffing levels and population make it difficult to ensure safety, and commendable work had been

done to reduce drug supply. Managers now needed to ensure that violence reduction systems were fully

implemented and staff supported to supervise and engage with prisoners. On the positive side, The Mount was genuinely

a training prison, providing good opportunities for prisoners to gain the skills and experience they needed – which is by

no means always the case in such prisons. That provides a good foundation to build on.

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Opened: 1987. CNA: 747; Op Cap : 768 Cat: C MALE. Insig: MT. Area: Eastern

BACKGROUND: The Mount Prison is a Category C Training prison, built on the site of a former RAF Station on the outskirts of Bovingdon village, Hertfordshire. It opened in 1987 as a young offender institution. Following the closure of HMP Grendon

in December 1989 the young offenders were moved out and The Mount became a Category C Adult Prison. The Mount has had additional wings built.

The population is mainly drawn from the London area and foreign nationals comprise 30% of the population. HMCIP published their latest report on The Mount in April 2010 - see below

KEY OFFICIALS:

Area Manager: Adrian Smith

Governing Governor: Damian Evans

Education Manager: Rosemary Pettman

Chaplain : Phil Abrey

IMB Chair: Anthony Harkavy

MP: David Gauke

REGIME: The standard core day is followed. Evening activities are available Monday to Thursday by rota and during the summer external association is available Monday to Thursday by rota. Breakfast,

lunch and tea are provided Monday to Friday and brunch and tea

Saturday and Sunday.

ACCOMMODATION & FACILITIES: Eight units in total: Brister 110 prisoners, Lakes 117 prisoners, Ellis 116 prisoners, and Fowler 112 prisoners all with integral sanitation. Howard Unit is different in design and accommodates 109 prisoners, all with

integral sanitation. Dixon Unit houses 120 prisoners,



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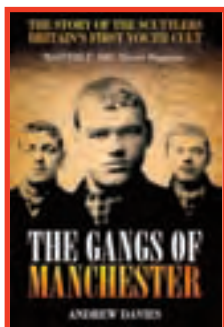
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THE DAILY MAIL

Out of the slums of industrial Manchester emerged a strange and bloody cult that would terrorise the city's streets for three decades.

Gangs of youths, violent and tough, launched a series of turf wars in a brutal fight for supremacy. Calling themselves 'scuttlers', they fought pitched battles that left scores injured or maimed. Soon the scuttler and his moll were as notorious as any modern gangster. The Gangs of Manchester is a journey into this long-forgotten Victorian underworld. It traces the rise of the first youth tribes in the smoke-blackened courts and alleys of nineteenth-century Manchester and Salford and tells how they adopted a distinctive fashion and code of conduct.

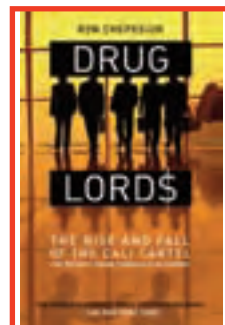
They wore peaked caps tilted to display their long fringes, flashy silk scarves, bell-bottomed trousers and brass-tipped clogs. But the scuttlers most prized possession was his thick leather belt, adorned with gang insignia and wrapped tight around his fist. The heavy brass buckle could shatter a man's skull.

As the Grey Mare Boys battled with Holland Street from Miles Platting, the Bengal Tigers and Prussia Street fought it out in Ancoats

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and Ordsall Lane and Hope Street waged guerrilla war in Salford, they terrified respectable citizens and defied the police and the law courts. And in the 1890s, the entire city held its breath as a handful of leading 'captains' fought for the coveted title of King of the Scuttlers.



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First came the Teds, then the Mods, Rockers, Hippies, Skinheads, Suedeheads and the Punks. But by the late Seventies, a new youth fashion had appeared in Britain. Its adherents were often linked to violent football gangs, wore designer sportswear and made the bootboys of previous years look like the dinosaurs they were.

They were known as scallies, Perry Boys, trendies and dressers. But the name that stuck was Casuals. And this grassroots phenomenon, largely ignored by the media, was to change the face of both British fashion and international style.

Casuals recounts how the working-class fascination with sharp dressing and sartorial one-upmanship crystallised the often bitter rivalries of the hooligan gangs and how their culture spread across the terraces, clubs and beyond. It is the definitive book

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His underlings called him the Cocky Watchman. His pursuers called him Target One.

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Prison Officer Jailed For Inmate Sex Abuse

A Prison Officer at a Suffolk jail for young offenders who groomed a 17-year-old male vulnerable inmate for sex and then tried to bribe him not to give evidence against him has been jailed for three years.

Former Marine William John Payne, 54 (right), who was employed at Warren Hill in Hollesley, near Woodbridge, admitted two offences of abusing a position of trust by sexually touching the youth while he was looking after him in prison during a four-month period between August and December 2008. Payne, of Pepper Place, Kesgrave, also admitted perverting the course of justice by offering the victim of the sex assaults a car, cash and golf clubs in return for not giving evidence against him. Jailing him for three years, Judge David Goodin described what Payne had done as "one of the greatest imaginable abuses of trust."

He said Payne, who had been married three times and had been a prison officer for 30 years, had betrayed the vulnerable young man in his care and had breached the high degree of trust placed in him in his role as a prison officer.

He said the sexual contact which took place between Payne and the inmate had initially happened once or twice a week but had become more frequent.

He ordered Payne to sign on the Sex Offenders' Register for seven years.

John Farmer, prosecuting, said the two offences admitted by Payne were samples of a course of conduct by him on the victim which included kissing, masturbation, oral sex and digital penetration.

"It's one of the gravest imaginable breaches of trust that can come before a court."

Judge David Goodin

"The defendant is a prison officer who had care of this young man and groomed him to a point where he was able to sexually abuse him at every opportunity," said Mr Farmer.

He said the victim was a vulnerable prisoner who was being treated for depression.

On his release from prison the victim had gone to Payne's flat and further sexual activity had taken place between them. However within five weeks of his release he had disclosed what had taken place while he was in prison and an inquiry was started.

Mr Farmer said Payne had initially denied the allegations and had given the victim a car, cash and golf clubs in a bid to persuade him not to give evidence.

Joanne Eley, for Payne, said her client had known his professional duties prevented him from having sexual relationships with prisoners.

"He accepts stepping miles over the line of his professional responsibilities," she said. She added that Payne had no previous convictions and had been highly regarded during his career in the prison service. He was now bankrupt and had debts of £30,000.

Mark Leech, editor of ConVerse said: "You don't just arrive at the age of 54 and suddenly switch sexual orientation and start abusing the vulnerable; how many more dark examples are there is this former officer's 30 year career I wonder?" See 'Surviving Abuse' - on page 11



IMB 'Pussy Galore' Threatens ConVerse



The solicitors acting for disgraced former IMB Member Alice Belton who pleaded guilty last month to misconduct in public office by smuggling phones into HMP Parkhurst and engaging in phone sex with inmates, have complained to ConVerse about our coverage of her case.

Gillian Self, of Isle of Wight firm Roach Pitts told ConVerse that she would report the newspaper to the Press Complaints Commission (PCC) because we had published Ms Belton's name and address.

Following our report the solicitors, who accepted our report was wholly factual, said: "You published her name and address after she has been sentenced to a suspended jail term and as a result she has been receiving letters from prisoners about the case."

Peter Johnson, ConVerse deputy editor said: "We don't seek to cause distress to anyone but just because she was a member of the Prison Service does not entitle her to special treatment - others convicted have their address published and she's no different.

"ConVerse has a very clear editorial policy of highlighting proven criminal conduct by members of staff, such people are a minority of those in the Prison Service but they bring disgrace upon themselves, their families and their actions, particularly where smuggling is concerned, can also place their former colleagues at serious risk too; any complaint to the PCC will be vigorously defended because it is wholly without merit - if she doesn't like the publicity then she shouldn't haven't engaged in criminal conduct."

Tony Holmes, senior partner with Roach Pitts Solicitors later wrote to ConVerse saying:

"On behalf of the firm I apologise. "I entirely accept that [ConVerse] was entirely within its rights to publish as it did. "It is entirely an editorial decision as to what is and what is not appropriate to print in a situation of this nature."

Peter Johnson added: "If publicity in these cases deters just one member of staff from engaging in criminal activities then that to us more than justifies our policy."

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>> IN THIS MONTH'S ISSUE



**Met Police
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The Election is over - But who is your Jail's MP now?

We list the lot of them! **Page 19**



Corrupt Essex Cop Jailed over Police Fire Bombing Case.

Page 24

IPCC Investigate another Cop Taser attack'

Page 8



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Cocaine Cop Nicked



A police worker,
from Cheshire,
resigned after
being caught on
film snorting
cocaine in her
office, it was
disclosed.

Lyndsey Dinning,
31, quit her job in
the fingerprint department of Greater Manchester
Police (GMP) after an undercover operation.
A camera was placed in her office following a tip-off
and she was arrested last December after being
caught in the act.

The former laboratory officer tested positive for
cocaine and resigned from her job. Dinning, of
Marley Close, Moston, pleaded guilty to
possession of Class A drugs at Warrington Crown
Court on April 27. She also admitted misuse of a
computer, after she accessed information about
friends and family from a police database. Dinning
was sentenced to 130 hours unpaid work.

The judge ruled that a third charge of misconduct in
public office should lie on file.

A spokesman for GMP said: "A former member of
GMP staff has been sentenced. Lyndsey Dinning
admitted possession of Class A drugs and computer
misuse. "Dinning, a former lab officer, resigned during
legal proceedings."

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FUTURE UP IN FLAMES?



A man who set fire
to a university
student dressed as
a sheep because he
was "trying to get a
laugh" has been
jailed for five years.
Jason Whatley, 39, of
Faro Close,
Fareham,
Hampshire, was
sentenced at Leeds
Crown Court after

admitting setting fire to 19-year-old Stuart Mitchell in
October last year.

Mr Mitchell was left in "excruciating" pain with burns
to 12% of his body after his cotton wool fancy dress
costume was engulfed in flames during a night out
at the Headingley Taps pub in Leeds.

the Swain & Co page

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The relationship between you and your child's mother has broken down and she's punishing you by stopping you having contact with your child. Sound familiar?

This is an unfortunate reality outside of prison but when you're inside prison, well, you're stuck, right?

You can have only limited contact with your family by telephone, letter and visits so trying to resolve any dispute is almost impossible.

So what do you do?

This is a two part article. The first will outline the procedures for contact with your child within the prison.

The second will give more information about your Human Rights and how the Family Courts could help you with contacting your children.

Contact procedures within prison

The prison will try and facilitate contact between you and your child but before they can begin you need to put in a general application to the Public Protection Unit (PPU) and then complete an application form. The PPU have to carry out certain procedures before contact can take place. For the purposes of the PPU a child is under 18 years of age.

You should be aware that there are four levels of contact within the prison:

Level one

→ Full restrictions apply – no contact with any child.

Level two

→ Contact via written correspondence.

Level three

→ Contact via written correspondence and telephone calls

Level four

→ No restrictions

Contact is defined as telephone calls, letters and visits. As with any other contact with your family, there will be a level of monitoring to ensure the safety of those outside of prison – this is the prison's duty. All contact is subject to monitoring and the prison can also review the level of contact you are having.

Levels of contact can be changed, either up or down if new information becomes available. If you are unhappy with the decision of PPU you can appeal via the usual request/complaints procedure and it will be looked in to by the Operational Manager.

At the start of the procedure, the PPU need to identify those who could pose a risk to children. Firstly, they look at those who:

- Have been convicted of a sexual offence against a child, either a previous offence of the current index offence
- Have any conviction or charge of assault or murder against a child
- Charge or conviction of domestic violence when a child was involved
- Charge or conviction relating to

emotional abuse or neglect

- Displayed behaviour in custody that could pose a risk to a child
- Information has been received that causes concern

They then need to consider the risk presented by the offender, the needs and best interests of the child, a prisoner's right to a family life and the welfare and safety of the child. Your behaviour within prison will impact upon this as well. The welfare of the child is paramount throughout the whole procedure. This is true outside of prison too so if it is felt that a child will be adversely affected by contact taking place this will take priority over your right to family life.

Should you be affected by any of the issues in this article, or if you require further advice or assistance, please contact the Family Law Department at Swain and Co Solicitors.

Our details are as follows:

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Bulloch House, 10 Rumford Place,
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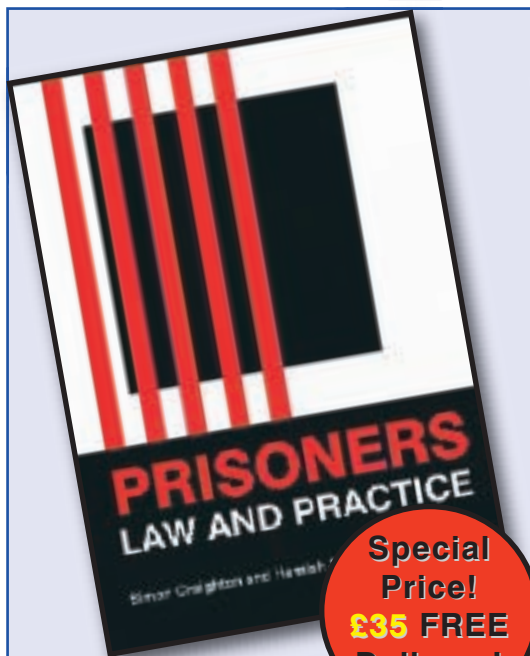


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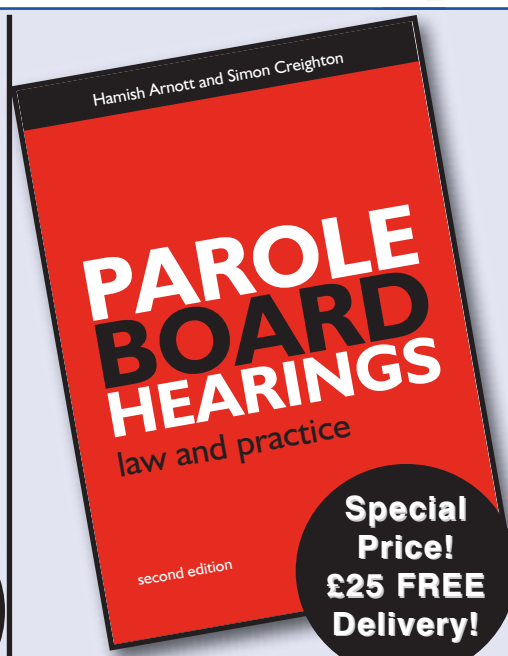


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Trigger (NOT) Happy



for two years on July 28 last year. Sentencing him, Judge Trigger said:

"Your case illustrates all too clearly the completely lax immigration policy that exists and has existed over recent years.

"People like you, and there are literally hundreds and hundreds of thousands of people like you, come to these shores to avail themselves of the generous welfare benefits that exist here.

A judge has been criticised by Britain's top judge for speaking out about immigration while sentencing a drug dealer in Liverpool.

Sentencing a Jamaican drug dealer to two years in prison, Judge Ian Trigger said there were hundreds of thousands of people like him exploiting the UK's "generous welfare benefits". But Lord Chief Justice Lord Judge said his comments were "wholly unrelated" to the case he was considering.

Lucien McClearley arrived in the country on a tourist visa in 2001, but was living illegally in Merseyside after it expired. The defendant was arrested in October 2002 when the visa ran out but he claimed asylum and was released while it was being processed.

The application was rejected in 2004, but he was arrested only last February after police stopped a car he was driving and noticed it smelled of cannabis. McClearley admitted taking a vehicle without consent, possessing cannabis and cocaine, possessing a class B drug with intent and two counts of possessing false identity documents.

McCclearley, who was 31 at the time, was jailed

"In the past 10 years the national debt of this country has risen to extraordinary heights, largely because central government has wasted billions of pounds. Much of that has been wasted on welfare payments.

"For every £1 that the decent citizen, who is hard-working, pays in taxes, nearly 10% goes on servicing that national debt. That is twice the amount it was in 1997 when this Government came to power."

The controversial comments sparked an investigation which resulted in Tuesday's criticism. A spokesman for the judiciary said:

"His Honour Judge Trigger has received formal advice from the Lord Chief Justice following an investigation into comments he made in open court during the sentencing of Lucien McClearley at Liverpool Crown Court on July 28 2009. "The investigation found, and the Lord Chief Justice agreed, that Judge Trigger's comments were wholly unrelated to any of the issues which arose for consideration in his sentencing decision, and represented an inappropriate judicial intervention in the political process."

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Chemical Nazi Jailed for 10 Years

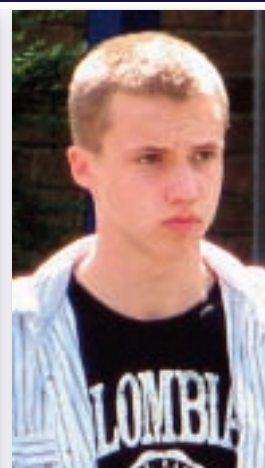
Yet the Anarchist Cookbook he used is still on open sale



who they revered, and whose work Mein Kampf was among many available on their website."

Mr Edis said the ASF had around 350 members recruited via the internet, though not all were active. Other alleged members will face trial later this year.

Mr Edis said: "The prosecution case is this defendant intended to perpetrate acts of terrorism. "The ricin which he made would be used in pursuit in



A white supremacist who became the first person to be sentenced for producing a chemical weapon has been jailed for 10 years.

Racist Ian Davison, 42, manufactured enough ricin to kill nine people and kept it in a jar in his kitchen for two years.

He was jailed at Newcastle Crown Court alongside his teenage son Nicky, who was a fellow member of a group known as the Aryan Strike Force.

Davison Jnr was sentenced to two years in a young offenders' institution.

Davison Snr, of Burnopfield, County Durham, previously admitted producing a chemical weapon, preparing acts of terrorism, three counts of possessing material useful to commit acts of terror and one count of possessing a prohibited weapon. His 19-year-old son, of Annfield Plain, County Durham, was convicted of three counts of possessing material useful for acts of terror following a trial a fortnight ago. The charges related to downloading copies of the Anarchist's Cookbook and The Poor Man's James Bond on two computers.

Davison Snr created ricin at his home in 2006 or early 2007, Andrew Edis QC, prosecuting, said. It was found when police raided the property in June last year and was now stored at the UK's Porton Down chemical weapons centre.

Davison Snr researched how to make the killer chemical and then followed instructions, having bought its easily-sourced ingredients.

Mr Edis said: "He was a leading member of the ASF which was a neo-Nazi organisation dedicated to using violence.

"Its slogan was 'Whatever it takes'.

"The purpose of the violence was the creation of an international Aryan group who would establish white supremacy in white countries.

"They were followers of the ideology of Adolf Hitler,

the cause espoused by the group."

The Crown said the group had not picked out particular targets, but had run a training camp in Cumbria and made promotional films.

Members discussed posting cockroaches through letterboxes of Asian restaurants and shops with the aim of encouraging infestations and getting them closed down.

The ASF, also known as the Wolf Pack, aimed to overthrow "Zionist" governments, and considered itself to be the country's most right-wing group.

Davison Snr was in contact with a Nazi in Serbia and the pair discussed poisoning water supplies used by Muslims, Mr Edis said.

The defendant also wrote on a forum: "The Jew is the Aryan's sworn enemy above all."

It financed itself through selling items such as keyrings and mouse mats through its website.

Davison Snr possessed many copies of terror guidebooks such as the Anarchist's Cookbook and made them available to download.

Toby Hedworth QC, defending, said a psychological report showed Davison Snr was a "superwimp not a savage" who had a "fragile ego".

"A very small amount (of ricin) was eventually produced and nothing was done with it," he said.

WHY RICIN IS SO DEADLY
Ricin, a toxin extracted from the castor bean, is 6,000 times more poisonous than cyanide. An amount the size of a grain of salt is enough to kill an adult - and there is no antidote.

Produced in powder form or liquid it causes major organ failure and fatal collapse of the immune system - in 1978 Bulgarian Georgi Markov died in London after being stabbed in the leg by an umbrella containing ricin.

Mr Hedworth said the internet let his client feel important, by being useful to the group.

"It allows people to effectively make themselves whatever they wish to be," he said.

"The more he would talk big, the greater esteem he appeared to be held in by these people."

Peter Carter QC, for Davison Jnr, said he was of previous good character and had been corrupted by his father.

He has now thrown away any chance of an Army career, the court heard.

Judge John Milford expressed surprise that the Anarchist's Cookbook was still available to buy on the Amazon website, and asked the authorities to look into it.

The US Center for Disease Control suggested that as little as 500mg (0.02oz) ricin - about half a grain of rice - could be lethal if injected or inhaled, and has no known antidote.

Passing sentence, Judge Milford told the father: "A particularly unpleasant aggravating feature of this case is that you corrupted your son.

"The fact he sits in the dock with you today, about to go to prison with the hopes of joining the Armed Forces dashed, is the result of your appalling parenting."

Neither father nor son reacted in the dock as both were jailed.

The judge said he accepted the son was influenced by his father.

"But you were actively in the website and expressed on it the same vile, racist views as your father," he said.

"I accept you knew nothing of the ricin."

Outside court, Detective Superintendent Neil Malkin said he wanted terror manuals removed from the internet.

"This is a landmark case and will bring the attention of the authorities at a national level to the need to restrict these documents," he said.

He said just downloading the Anarchist's Cookbook from the internet was an offence.

The detective said: "Clearly, Amazon needs to look at what happened in this case and reflect on the availability of these manuals."

He added: "Ian Davison was only one step away from producing a terrorist event."

Outside court, Stuart Laidlaw of the CPS counter terror division said: "People should make no mistake about how serious Ian and Nicky Davison were in their hatred of anyone who they considered a 'threat' to 'their' race.

"It is clear that they wanted to take violent, direct action and to that end they both downloaded terror manuals from the internet."

Carl Davies of the League Against Facism said:

"This man was a danger to every single one of us not just the groups he spouted his hate against - releasing ricin into the atmosphere as he planned would have killed everyone who came into contact with it - Jews, Christians, Muslims, Black, White, gay, straight, young and old alike, your loved ones, my children - it is totally indiscriminate.

"Once we allow maniacs like this to target minorities no-one is safe - prisoners who read your newspaper are a minority, and the crazy thing about this warped philosophy is that Adolf Hitler who Davison idolised was for killing all criminals; now Davison is one himself."

Amazon, in response to the case maintains that it will remove copies of the books if they were found to be illegal, but said that reader's should be allowed the discretion to choose their own reading material.

New Home Secretary Theresa May said her officials were urgently looking into the case.

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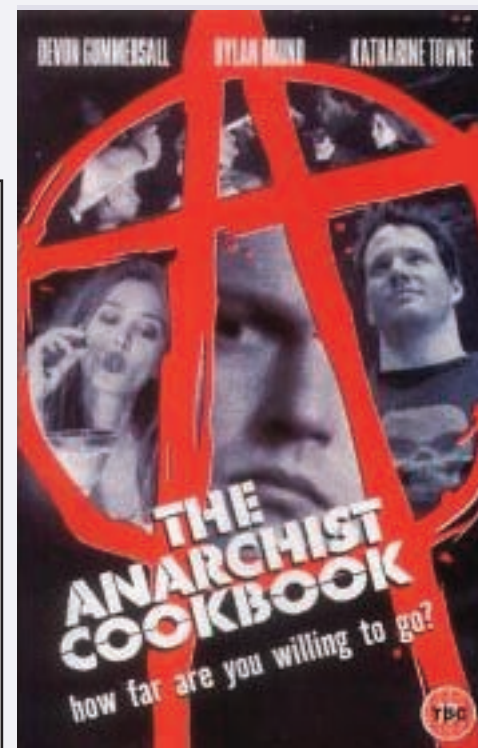
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Frequently Bought Together

Stir Crazy? Despite being an offence to download The Anarchist's Cookbook still for sale on Amazon



The Anarchists Cookbook, downloading the book from the Internet is an offence say the CPS, yet copies of the book are still freely available on Amazon.com



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Iraq General 'Was Unaware of Frequent Hooding'



The joint commander of UK forces in Iraq in 2003 was unaware of any frequent hooding of prisoners when they were captured, a public inquiry has heard. General Sir John Reith (left) said he eventually banned the practice, however, in part because of the

adverse publicity it was generating.

Giving evidence to the inquiry into the death of Iraqi hotel worker Baha Mousa (below) in British custody in 2003, he was asked about the practice of hooding allegedly used by 1st Battalion the Queen's Lancashire Regiment (1QLR), at whose base Mr Mousa died.

He was told by the inquiry panel that "in many cases" it was standard operating practice to hood the prisoner at the point of capture frequently.

Sir John replied: "I was not aware of that...It does surprise me."

In a written witness statement he said that if he had known that hooding was being used for the purpose of interrogation he would have stopped it.

He said: "If I had been aware that hooding for the purpose of interrogation, stress positions, white noise and/or the deprivation of food, water and/or sleep was being used in 2003, I would have ordered this to cease immediately."

In October 2003 he made an order banning all hooding.

This followed Mr Mousa's death and the bad publicity the technique was receiving.

Sir John, who in 2003 was UK Chief of Joint Operations and joint commander

of UK forces deployed to Iraq, said: "I decided to order the cessation of all hooding as it had become particularly emotive in light of the death of Baha Mousa."

"In any event, given the change in the nature of operations, the security reason for hooding prisoners had, for the most part, fallen away and if prisoners needed to be deprived of their sight, either for our force security or for the protection of the detained person, this could be done by way of blindfolding."

Asked by the inquiry panel why blindfolding was substituted for hooding he cited the bad press the practice was receiving. The change was made, he said, "because of the adverse publicity we'd been getting with hooding and we could do it in another way."

"Hooding for security purposes was still legal but I personally decided we could do it in a better way."

The reputation of the Armed Forces was also at stake, he added.

"We have a reputation, the Armed Forces, and we're proud of it and I wouldn't want it to be in any way lowered," he said.

He expressed his horror at what happened to Mr Mousa.

He said in his statement: "I remain absolutely horrified at the number of injuries that Baha Mousa sustained."

Mr Mousa, 26, was



working as a receptionist at Basra's Ibn Al Haitham hotel when it was raided by soldiers from 1QLR looking for weapons.

He and several of his colleagues were arrested and taken to 1QLR's base, where he died on September 15 2003 having suffered 93 separate injuries.

The public inquiry, held at Finlaison House in central London, has heard that British soldiers used "conditioning" methods on Iraqi prisoners - including hooding, sleep deprivation and making suspects stand in painful stress positions - banned by the UK Government in 1972.

One 1QLR soldier, Corporal Donald Payne, became the first member of the British Armed Forces to be convicted of a war crime when he pleaded guilty to inhumanely treating civilians over Mr Mousa's abuse at a court martial in September 2006.

He was dismissed from the Army and sentenced to one year in a civilian jail.

Six other soldiers who faced the court martial were cleared on all counts in 2007.

The Ministry of Defence agreed in July 2008 to pay £2.83 million in compensation to the families of Mr Mousa and nine other Iraqi men mistreated by British troops. The inquiry was adjourned



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Whad'ya Know?

This is a quiz for people who know everything - there are no trick questions, the answers will appear next month.

1. Name the one sport in which neither the spectators nor the participants know the score or the leader until the contest ends.
2. What famous North American landmark is constantly moving backward?
3. Of all vegetables, only two can live to produce on their own for several growing seasons. All other vegetables must be replanted every year. What are the only two perennial vegetables?
4. What fruit has its seeds on the outside?
5. In many off licences, you can buy Pear Brandy, with a real pear inside the bottle. The pear is whole and ripe, and the bottle is genuine; it hasn't been cut in any way. How did the pear get inside the bottle?
6. Only three words in standard English begin with the letters 'dw' and they are all common words. Name two of them.
7. There are 14 punctuation marks in English grammar. Can you name at least half of them?
8. Name the only vegetable or fruit that is never sold frozen, canned, processed, cooked, or in any other form except fresh.
9. Name 6 or more things that you can wear on your feet beginning with the letter 'S.'
10. Name one football team in the English or Scottish divisions that has one letter in its name that no other team has - name the team and the letter.

the 1 Pump Court page

Prison Law Barristers Working For You

Message from Stephen Field



April was a busy month in Court and prisons. In one particular judicial review, we submitted an urgent application to release an IPP Prisoner who the prison refused to release despite a Parole Board ruling. A High Court judge ordered the Prisoner's immediate release (R on the application of AL). We were less successful in the Wakefield ID Card challenge, though a number of Prisoners have expressed concerns over the scheme, and there may be future challenges. In two other cases, the Court of Appeal granted us leave to challenge the Secretary of State's interpretation of the 28 day recall scheme, and the Administrative Court granted us leave to challenge the definition of theft.

Judicial Review: Members of the Prison Law team at 1 Pump Court are keen to work with Prisoners' families who may be suffering the "knock-on" effects of your imprisonment. Please let us know if there are any issues troubling you that affect your family, in areas such as housing, community care, education, mental health and immigration. We will do our best to help you challenge these by way of Judicial Review where possible. When things are going wrong for you, we are all still trying to "do something about it" and thank you all for your efforts to do the same.



Eleanor



Greg



Joanne



Lucy



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Message from the team

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The 1 Pump Court Prison Law Team is committed to providing advice, assistance and representation - fighting for you from the smallest prison adjudication to challenging the Secretary of State in the highest courts in the land.

We are happy to work with your existing solicitor if you have one, or to recommend one if you don't. Many of the members of our team are able to accept instructions from prisoners directly without a solicitor in appropriate cases*.

We are easy to talk to and give no-nonsense advice. If you have a Prison Law issue, please fill in the questionnaire in the left hand column. By providing the information requested you can ensure that we can deal with your enquiries as quickly as possible.

We look forward to working with you.
*Barristers who can accept instructions directly are: Stephen Field, Ajanta Kaza, Daniel Kingsley, Sam Parham, Rebecca Martin and Terry Pedro.

LATEST RESULTS

* R (on the application of O) v Secretary of State - Court of Appeal - Successful application for leave to challenge to the use of the 28 day recall scheme

* R (on the application of S) v Wood Green Crown Ct - High Court - Judicial Review of Crown Court refusal of bail - High Court ordered S's release.

* R (on the application of AL) v Governor HMP Norwich - High Court - Emergency Judicial Review and release on the Order of the High Court Judge of AL, an IPP Prisoner who prison refused to release following a direction by the Parole Board because of a petty disciplinary offence immediately before scheduled release day.

* R (on the application of RR) v Magistrates' Court - Court of Appeal - Successful application for leave to challenge the definition of theft.

* R (on the application of N) and R (on the application of P) v HMP Wakefield - Challenge to the Wakefield ID Card scheme.

IMPORTANT NOTICE ABOUT TELEPHONE CALLS TO CHAMBERS

If the Prison Law Team are doing their jobs properly, they are simply not available to take telephone calls from prisoners during normal working hours (which inevitably involve early starts, late finishes and travelling time). Whilst Fran Springfield (our dedicated Prison Law Team Coordinator) and the clerks (Ian, Sian, Mycal and Johnny) do their best, we do not have a huge administrative support structure within the Prison Law Team, and the phone lines are open **Tues, Wed & Thurs between 3.30 p.m. to 5 p.m.** during which time a rota will be in place to take essential calls.

Questionnaire

Direct Access - Potential New Instructions

Name: Prison No.

HMP

Do not worry if you do not complete all the questions fully, further instructions can be given in due course.

In your own words, what is the general nature of your complaint/query?

What do you realistically want to achieve in relation to your complaint/query (insofar as the law can assist)

Solicitor currently instructed in relation to this matter (if any) and/or your preferred solicitor if a solicitor also needs to be instructed:

Name of solicitor:

Address.....

Alternatively, I do not have a solicitor and would like you to suggest a solicitor should it be desirable to instruct a solicitor and barrister. I give my consent for you to speak with my past, current or future prospective solicitor about my case.

Signed

Date

Please complete this form and send it in an envelope clearly marked: **RULE 39: LEGAL CORRESPONDENCE** to Prison Law Team, 1 Pump Court Chambers, Temple, London EC4Y 7AB and we will reply forthwith. Only send us photocopied documents. NO ORIGINALS please.

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SPECIAL MESSAGE TO SOLICITORS

We are receiving a large number of queries from Prisoners with problems in Immigration matters, civil matters (including potential claims against prisons), medical negligence case, as well as housing/homelessness and community care cases. If any specialist Solicitors are able to advise

and assist Prisoners PLEASE contact us at Chambers, where the Prison Law Team will be very pleased to work together on these deserving cases.



**Prison Law Team,
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**"If something's wrong
do something
about it!"**

Police 'Could not have done any more' Over Death say IPCC



An independent inquiry into the death of a Buckinghamshire woman after she was released from police custody found nothing more could have been done to protect her.

Marilyn Bowden banged her head against a cell wall after being arrested on November 6, the inquest into her death had been told.

Mrs Bowden, of Brockhurst Road, Chesham, was found dead early the next day after she hanged herself from the iron gate of a nearby business park with a scarf - above.

The inquest heard she had been suffering from depression "for some considerable time" because of personal circumstances - and had even asked her husband, Colin, to kill her.

Whilst in custody, Mrs Bowden was seen by a doctor when police officers became concerned for her welfare after she hit her head.

Dr Nicholas Reidy, who examined her, said the wound was "superficial".

But he added: "I had a conversation on the

circumstances of her detention and why she had banged her head on the cell wall.

"She gave me a clear story on the background to her arrest and circumstances and reasons why she had been arrested, and expressed some considerable distress about this.

"The impression she gave was one of considerable upset and distress at her circumstances and protestations at her innocence in the matter."

Dr Reidy told the inquest he asked Mrs Bowden about any possible history of self-harm, but she told him "quite categorically" she had no intention of harming herself.

Mrs Bowden returned home the same evening.

In a statement, husband Colin said: "She was crying constantly. I have never seen Marilyn this bad. She was sobbing and said she had given up on herself." The couple went to bed together at around 1am. Mr Bowden said he usually slept downstairs alone, but felt his wife needed comforting following her arrest. He said: "I remember when we went to bed, Marilyn turned to me and said, 'Will you do me a favour?' I said 'What?' and she replied, 'Kill me'.

"I said, 'No, I'll get done for murder'.

She cried but I thought no more of it."

Mr Bowden said there was no sign of his wife when he woke in the morning, but he went to work as normal.

However the main Berkhamstead Road was closed to traffic and sealed off - because of the discovery of Mrs Bowden's body.

Mr Bowden asked officers at the scene about the identity of the woman and from what he had been

told he had been able to work out it was his wife.

The reason for Mrs Bowden's arrest was not made public at the inquest for legal reasons and the Coroner Richard Hulett recorded a verdict Mrs Bowden took her own life.

Following the death Thames Valley Police referred the case to the Independent Police Complaints Commission (IPCC) to see if officers could have done more to safeguard her.

All of the officers and staff who had contact with Mrs Bowden were interviewed and custody records and CCTV footage were examined.

Mike Franklin, of the IPCC, said there was no evidence of any criminal or misconduct offences being committed by police.

Mr Franklin said: "This is a very sad case and it must be incredibly difficult for Mrs Bowden's family to deal with her death.

"It is also difficult for those officers who took care of Mrs Bowden while she was in custody, to know that she took her own life the very next day.

"This investigation focused on whether or not there was anything that could have been done while Mrs Bowden was in custody to prevent her death and we have concluded that, sadly, there was not."

Mrs Bowden's husband said after the report was published: "You'll never convince me they could not have done more.

"They knew the state she was in while she was in the police station, they knew the behaviour she had exhibited and yet they never told me about how she had behaved.

"I believe that had I known about her bizarre behaviour in custody, I could have helped her, I would certainly have not gone to work, in fact I doubt that I would have gone to sleep.

"Now I've lost the woman I adored and I just feel so cheated out of justice by what the IPCC have said in this report."

Hundreds Demand Longer Sentences

Hundreds of people whose loved ones were violently killed marched through central London today calling for a minimum sentence of 30 years for murder.

The group, led by Families Fighting for Justice, walked from Victoria Embankment to Waterloo Place near Trafalgar Square chanting slogans including "life for a life".

Founder Jean Taylor, whose daughter Chantel was murdered and the body never found, said: "We're here because we've lost our loved ones. Our children have been murdered, our loved ones have been murdered and we don't believe that if you did a murder the sentence you will get will be enough. In some cases there's no justice at all.

"I believe that the voice should be given back to this country. There should be a minimum sentence of 30 years as a starting point."

Joanne Foster said John Cunningham, who killed her boyfriend Neil McDonald, will realistically spend two years in prison. Mr McDonald was punched in the face after a night out in Macclesfield and fell and hit his head.

She said: "They're absolutely ridiculous, these lenient sentences for killing in an unprovoked attack. How can you justify two years for taking a life? You take a life, you do life. That's how it should be."

Ms Foster has set up a campaign highlighting the low prison sentences for deaths caused by one punch.

IPCC Investigate Cop Taser Attack



Independent investigators have launched an inquiry after a suspected armed man was shot by police in south London with an electric stun gun.

Metropolitan Police officers fired a Taser after stopping a car containing two men in Brixton in June 2008.

The driver made a complaint and the incident was probed by officers from the force's anti-corruption branch.

He complained again to the But senior

Independent Police Complaints Commission (IPCC) after receiving their findings.

The man said the investigation was not thorough and conclusions about potential misconduct were wrong.

Officials at the IPCC assessed his complaint and have now decided there is enough evidence to launch an inquiry of their own.

It will examine the level of force used on the man and the information on

which police based their decision to stop his car.

The independent inquiry comes amid continued concern over the use of 50,000-volt Tasers by police.

A separate inquiry was launched by the IPCC several weeks ago after police used a Taser on a man suffering an epileptic fit in Whalley Range, Greater Manchester.

The Independent Police Complaints Commission said in a statement then that paramedics called police to the scene of a 40 year old man who was having an epileptic fit at the Powerleague gym in Whalley Range, Manchester.

The man, later identified as Howard Swarray, was was punching and biting in the course of his fit, said the IPCC and the paramedics called asked for police back-up. Police subsequently used Taser in 'stun mode' to deliver a 50,000-volt shock to the man, in an apparent attempt to calm him down. It failed to do so.

Moves to widen the use of Tasers have been criticised by human rights groups and medical experts concerned about the dangers of the powerful guns amid fears about misuse.

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the Lawrences page

Established 1991, Lawrences has won itself a well-deserved reputation in fighting for their clients. Since 2002 it has been an exclusively criminal practice and since James Smith-Wilds took over as Principal the firm has trebled in size. Today Lawrences' provides a seamless quality service for clients from the police station, through the Courts and all the way to the release of those unfortunate to receive a prison sentence. Lawrences is predominantly a legal aid firm specialising in criminal and prison law and recently achieved 'competent plus' status at peer review.

Such is their reputation that many people first experience Lawrences as prison law clients - having been referred by existing clients. Lawrences prides itself on fighting for their clients and always aims for excellence. Meet our prison law team on this page and contact any of them regarding our services. We can take telephone instructions, but please bear in mind that most fee earners are out of the office representing clients at court, the police station or in prison. Leave your name, prison number, and establishment details with our friendly telephonists and we will then write to confirm your instructions and then see you as soon as your prison can accommodate a visit. More than anything else, we want to help you.

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JAMES SMITH-WILDS



James Smith-Wilds:
Principal

Called to the Bar in 1999, James has always specialised in criminal law. Working in a specialist criminal law firm from the beginning James has always found the system lacking when it came to prisoner rights. Having cross-qualified and then taking over his own firm in 2004, James had the opportunity to provide a proper service for his clients throughout their passage through the criminal justice system, including any period of incarceration. A passionate advocate for justice and the rights of the individual, James established a prison law department based on strict principles and not merely profit. He holds the Certificate of Competency in Prison Law with Distinction and is always keen to get the best possible result for his clients; James fights their corner whatever their circumstances.



Helen Harris:
Head of Prison Law

Since graduating from university in 2003, Helen has been passionate about helping prisoners. In the last 6 years, Helen has built up an encyclopaedic knowledge of the Prison system having only specialised in Prison Law. Seeing prisoners on a daily basis, Helen is a regular at Adjudications and has built up a professional working relationship with many external adjudicators, often having prisoners referred to her and her representations being accepted without challenge. Helen holds the Certificate of Competency in Prison Law with Distinction and meets the new Supervisor criteria, soon to be made compulsory by the Legal Services Commission. Always ready to meet a challenge Helen has an excellent success record at both Adjudications and Parole Hearings.



Sally Smith
Prison Law Specialist

Sally's passion for Law began 14 years ago when she discovered a flair for the work, she qualified as an Accredited Police Station Representative early in 1998 and she has an enviable reputation with her clients for enthusiasm and success in both police stations and prisons. Sally has extensive experience in Police Station, Crown Court and Prison Law cases country wide. Sally has the Certificate of Competency in Prison Law with Distinction and she now specialises in providing advice and representation across the whole Prison Law range. Sally prides herself on having direct contact with her clients, listening to their problems, giving sensible and realistic advice and explaining every step in a way that is easily understood.



Annette Surkitt
Prison Law Specialist

Annette has worked in law for the last 8 years. Having only been with Lawrences for the last six months, such is the level of her specialisation, Annette too will meet the new Supervisor criteria by its implementation in October. Annette is passionate about Prisoner Rights and is always very keen to see the prisoner's view of things. Annette is an excellent addition to the Prison Law team at Lawrences and is extremely popular with clients. Annette, as with all the team at Lawrences, frequently travels up and down the country to see her clients. Believing that the clients' case is the most important issue and getting the best for the client justifies the travelling, ensuring continuity of care and an excellent level of service are the hallmarks of her professionalism.



David Lissaman
Head of the Crown Court Department

David has been working in the Criminal Justice System for 25 years and has specialised in Crown Court work for the last 10 years. David has been with us since 2007 and commented on how much more proactive we are in fighting for our clients. Indeed David noted that in the first 6 months at Lawrences he had conducted more appeals than he had for any other firm before. Since taking over the Crown Court department David has had an almost 100 per cent success rate at appeal. An active family man and keen rugby player, David, like everyone here at Lawrences, is a straight talking lawyer with a robust approach to cases who believes in giving accurate and impartial legal advice.



Mike Pryor
Consultant Solicitor

Mike has over 40 years experience in Crime, he originally qualified as a Solicitor in 1982 and has defended clients ever since. Mike became a consultant at Lawrences after retiring as the Senior Criminal Partner in a Leicester based firm. Primarily a Magistrates trial advocate, Mike handles the more complex prison law cases.



Mark Nichols

Mark has been a solicitor for over 19 years, and he ran his own specialist criminal law practice before joining Lawrences Solicitors two years ago. Primarily a court advocate, Mark is in the process of attaining his Crown Court rights of audience. A keen athlete, Mark approaches his cases with the same gritty determination that he has shown running the London and Paris marathons.



Shirley French: Practice Manager

Having worked at Lawrences since its inception, Shirley now runs the administrative side of the firm and is responsible for all practice issues prior to them being passed to James. This would include general file control and complaints. We have an open and honest attitude towards complaints, and whilst we may not achieve exactly what our client had hoped for, we always endeavour to do our best.



Paula and Jo

For many of our clients the first contact that they have with Lawrences will be with either Paula or Jo. Both of them have been telephonists with law firms since they left school and they have 25 years experience of handling clients between them. Friendly and efficient, always feel free to leave your details knowing they will be passed on promptly so that we can start working on your case straight away.



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HELEN HARRIS

Burglar Tortured & Strangled 85 Year Old For Her PIN Number



A heroin-addicted burglar who strangled his 85-year-old victim then torched her bungalow to destroy the evidence has been told he will serve at least 34 years in prison.

Steven Hodgson, 33, tortured Patricia Thompson to make her tell him her bank Pin number, a judge told him as he passed a life sentence.

He picked on the popular church-goer having checked out her neighbourhood of sheltered accommodation in Hartburn, Teesside, on Google Maps two days before her murder last September. He was convicted unanimously of murder and burglary following a six-day trial at Teesside Crown Court.

Mr Justice Davis told the defendant: "I can detect at no stage the slightest degree of remorse on your part at the death of this lovely woman.

"You are a very dangerous man."

The prolific burglar, with a long history of violence, admitted to the jury he preferred to break into homes when the occupier was in, as that meant cash, handbags and bank cards present.

The judge accepted he was not armed when he broke in.

"You didn't need to have a weapon, she was an old lady," Mr Justice Davis said.

"You knew the house was occupied by an old lady, that's one of the reasons why you deliberately targeted it.

"A grave feature is you inflicted violence almost in the form of torture on her with a view to extracting a Pin number before you strangled her."

Starting two fires in the house to destroy evidence was "a vile thing to do", the judge said.

"Just think of the impact on her family," he said.

The heroin and crack user broke in through a bathroom window, confronted the "pillar of the community" and killed her.

He then called a cab from her house phone and, when it arrived, started blazes in the bedroom and living room.

The taxi drove him away with two suitcases full of her property, including jewellery.

By the time he was dropped off 10 miles away, close to his home in South Bank, Middlesbrough, one Mrs Thompson's neighbour had raised the alarm.

Firefighters in breathing apparatus found her body after a fingertip search.

A manhunt was launched when police found she had died before the fire started.

Hodgson went on a spending spree using her bank card and got his partner to pawn stolen jewellery, including the grandmother's wedding ring.

After his arrest, Hodgson's DNA was linked to samples found under his victim's fingernails,



indicating she fought for her life.

His far-fetched explanation that the DNA was left on her hands when she ruffled his hair after he offered to clean her windows was dismissed by the jury.

He tried to explain away possessing items taken in the burglary by saying he broke into the pensioner's home the night before she was murdered - claiming another intruder must have killed her.

Afterwards, Mrs Thompson's two daughters released a statement

saying: "Our mum was a loving, joyful and gentle lady.

"She is and will continue to be greatly missed by her family and friends.

"This eight months has been terribly difficult for our family, but we are grateful for the kindness and support shown to us by our communities.

"While the court case has been an added burden to bear, we are pleased that justice has been done today."

Outside court, Detective Superintendent Gordon Lang said: "My sympathies and thoughts are with Pat's family.

"She was a lovely lady, a true pillar of the community who has had her life cut tragically short.

"Pat deserved to be safe in her own home and the actions of one cowardly individual have shattered many lives. "Hodgson is a despicable and evil character who is beneath contempt."

Benefit Cheat was Lotto Winner!



A lottery winner from Greater Manchester has been jailed after falsely claiming benefits to care for his elderly father.

David Smith, 51, received £21,700 in income support, council tax and

housing benefit between March 2005 and April last year.

But he failed to declare a bank account into which he paid lottery winnings of £164,633 in March 2005. Smith, of Hitchen Drive, Dukinfield, Greater Manchester, was sentenced to two months in prison on Wednesday, after admitting two counts of failing to declare the change in his circumstances.

Smith also pleaded guilty at Tameside Magistrates' Court to five charges of failing to declare the information on his application form for benefits.

A computer check by the council revealed the hidden bank account.

The court heard he used the cash to buy a holiday and a car for himself and his father, who died in 2007.

Joe Kitchen, Tameside Council's first deputy councillor, said: "People who make fraudulent benefit claims are not just cheating the system - they are cheating the whole community.

"Tameside Council is committed to the prevention, deterrence and detection of benefit fraud."

Killer Dog Cop Back At Work

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A police dog handler who left his two German Shepherds to die in the back of his sweltering car has returned to work, Nottinghamshire Police have now confirmed.

Pc Mark Johnson escaped prison and was handed a six-month conditional

discharge after he was found guilty of animal cruelty in February.

But the 40-year-old is no longer working as a dog handler and has been assigned to duties in south Nottinghamshire as an ordinary response officer.

During his trial at Nottingham Magistrates' Court on February 22, the judge was told PC Johnson suffered from depression and obsessive compulsive disorder.

This led to him forgetting that he had left the dogs in his car which was parked at Nottinghamshire Police's Sherwood Lodge headquarters near Arnold on June 30 of last year, the court heard.

A statement from Nottinghamshire Police said today: "Following a misconduct meeting, Pc Mark Johnson returned to work on April 29 as a response officer on D division (south Nottinghamshire)."

During the day-long trial, the court heard Pc Johnson arrived at work with 18-month-old Jay-Jay and Jet, seven, on one of the hottest days of

last year where temperatures peaked at nearly 30 degrees Celsius.

He planned to move the two Alsations into an air-conditioned police car but he got distracted and set about attending meetings and completing his paperwork.

Seven hours later, after a meeting with a sergeant about his mental health problems, the police officer remembered he had left them in the back of his own car and rushed out to find them dead.

The dogs suffered severe heatstroke and would have gone through "excruciating pain" before they died of kidney failure and cerebral haemorrhage, the trial was told.

Pc Johnson's, a married father-of-one who has nearly 18 years' service, was suspended at the time of his trial. Police chiefs said following the verdict he would face an internal disciplinary panel.

Nottinghamshire Police was also severely criticised



by district judge Tim Devas after it emerged Pc Johnson was suffering from depression and OCD but found it difficult to get help.

His illness meant he simply forgot to move his dogs from his own black Ford Mondeo Estate, it was claimed in court. He also regularly broke down in tears and was afraid to admit he might have a problem because he believed it could see him transferred off the dog section.

Sentencing Pc Johnson, Mr Devas said: "I have no doubt that had Pc Johnson received the help he needed then he wouldn't be standing before me here today."

Nottinghamshire Police received thousands of emails and calls from dog lovers after the case first hit the headlines last year.

It has since enforced a number of changes.

All dogs must be kept in kennels whilst at Sherwood Lodge and handlers have been given key fobs which alert them to any change in their car's temperature.

Pc Johnson is currently paying off £2,500, a contribution towards the costs off the RSPCA's prosecution. But he has not been banned from keeping animals.

A spokesman for the Police Federation, which has represented Pc Johnson, said the officer was "pleased" to return to work.

He added: "It has clearly been a significant ordeal for him (Pc Johnson) and his family.

"We are pleased he has been able to get back to work. It is in his best interests to be at work having put the criminal proceedings and misconduct hearing behind him."

With Child Sex Abuse Claims Rocking the Catholic Church, Specialist Abuse lawyer Peter Garsden asks:

How does an Abuse Survivor Cope with Life?

Whilst each survivor of abuse is unique, and his/her circumstances entirely different, I have learned over many years of dealing with child abuse compensation claims that most survivors feel exactly the same and find coping with life extremely difficult. So the obvious question is why? Surely it is wrong to generalise and put people in categories?

When an insecure child develops a strong attachment to an older mature abuser at an impressionable age and places a lot of trust in an affectionate adult who promises love, affection, treats, presents, and gives sexual relief, particularly at puberty, then when the relationship goes wrong the child inevitably feels let down and upset. When the child has been previously let down by parents, sent away from home, and siblings, then insecurity deepens, anger rises, and behaviour deteriorates. No wonder then that many ran away from care homes. I have even come across a child who jumped out of a tree and impaled his leg on a railing spike to get away from abuse to hospital. Luckily he did not succeed in killing himself.

So how does the child feel when the relationship is over? Often he/she is moved to a different children's home because his/her behaviour becomes so unbearable. Often another abuser targets him and the nightmare starts all over again. Further incidents of abuse usually mean that the symptoms multiply several fold in severity. To stop the abuse hurting psychologically he/she builds up a hard exterior to act a protective shield against the world.

What if the abuse was a homosexual encounter yet the boy is going through puberty? If the care worker said it was quite natural and he enjoyed it, why not try it again? Often, as a senior boy in the children's home, he goes on to experiment by abusing other younger boys. If he has no predisposition to be homosexual, he becomes confused. Members of the opposite sex are interesting as well. Naturally he is confused. Is he homosexual or heterosexual? If the care worker is a net worker the boy could be introduced to strangers for pleasure. He may need the money, because now he is probably trying to anaesthetise his guilt and feelings through hard drugs. The best analogy I have ever come across is the title of an excellent male rape support group in Liverpool called "Fire in Ice". The child eventually realises that the feelings of anger cannot come out all the time because it usually results in punishment, homelessness or, worse still, imprisonment. So it has to be contained in ice. Not an effective container, obviously, because the fire melts the ice and leaks out. Before it melts, however, the person is cold, unemotional, and cannot be hurt by anyone

on the outside. But all the time the anger is burning inside them. Ironically, the Fire service believes that there is a definite link between abuse survivors and arson attacks.

It is no surprise then that inter-personal relationships are extremely difficult for someone who has been abused by adults when young. The first adult whom they put their trust in, betrayed them; thus the survivor fears that the same thing will happen in every inter-personal relationship. They find it very difficult to trust anyone. At the first sign of trouble fire starts burning the ice away. If the ice cannot be rebuilt to protect the soul the flames can consume the relationship and sometimes the person. The more relationships, fail the stronger the feelings of insecurity, and the more accurate the self created prophesy of mistrust becomes.

It is a commonly held fallacy that, if a child is abused, it will go on to become an abuser in adulthood. It makes survivors very angry. It is true however that many paedophiles or sex offenders were abused in childhood. Whether there are genetic influences is outside my sphere of expertise. The vast majority of abused children go on to experience extreme difficulty in coping with life. A common trigger of symptoms, or to use my analogy above, when the fire starts melting the ice and leaking out, is the birth of a child, particularly in women. For some reason this brings back memories of the abuse and mental problems. Often the abuse is investigated by the police in later life when the survivor has formed a family and settled into some sort of permanency. When the family finds out the survivor was abused in childhood they often believe the fallacy and assume the parent must have turned into an abuser. When this feeling is accompanied by changed behaviour, drinking, depression, lack of sleep, anger and drug taking, invariably the partner cannot cope and the relationship breaks down.

How does the survivor behave towards his/her own children? Invariably in an over-protective manner. When the boy gets into a fight and the father feels he has been bullied he goes out and starts another fight in retaliation. The mother will not allow her daughter any freedom at all, and protects her from everything. Thus the girl grows up timid and lacking in confidence. Separation from parents becomes impossible.

If a child is abused by a person in authority be it father, mother, care worker or teacher, particularly when the abuse happens at an impressionable age such as puberty, the child develops more of an anti-authoritarian attitude than other adolescents. Commonly this continues into adulthood and

Compensation for Survivors of



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makes it impossible to trust an employer. In the same way as in relationships an argument usually develops, bad behaviour results, the fire leaks out, and the job descends into dismissal. Often survivors find interaction with others difficult. Thus a solitary job is common, such as a long distance lorry driver or North Sea diver. They often say that working away alone is easier than interaction with the family.

If a survivor of abuse finds it extremely difficult to hold down relationships with the same or opposite sex, cannot hold down a regular job, and suffer from internal mental turmoil most of the time, how much

compensation should they receive? The top of the range award at the moment for pain and suffering is £50,000. If the abuse took place at 12 and life expectancy is 72 then that equates to £2.28 per day. That is about enough for a nice coffee at Starbucks, but for a ruined life? I don't think so.

Peter Garsden is a partner at Abney Garsden McDonald solicitors and a founder member and President of ACAL (Association of Child Abuse Lawyers.) He leads a department of 18 staff who specialise in Child Abuse Compensation claims and has written articles for the Legal and National press, lectures on the subject and has much experience of radio and television. He can be emailed at peter@abneys.co.uk and contacted via their advert above.

STOP All Prison Building Says Charity



Justice Secretary Ken Clarke has come under pressure to put a freeze on the building of new prisons. Under the previous government, overcrowding meant more than 80,000 prisoners were let out under an early release scheme which ended in March.

Despite this the prison population hit record levels, reaching 85,076 in April, and the Conservatives pledged in their manifesto to increase jail capacity. Now the Prison Reform Trust (PRT) said that each new prison place would cost £170,000 to build and maintain.

Director of the PRT Juliet Lyon said: "The current growth in prison numbers is unsustainable.

"A moratorium on prison building would be a first

step in reversing the disastrous legacy of the past two decades which has seen the prison population almost double, while rates of reoffending have rocketed.

"A measured, evidence-based approach to justice would deliver the prize of increasing public safety while at the same time reducing the cost burden imposed by over-use of imprisonment."

The charity said that prisons have been overcrowded since 1994, with nearly a quarter of criminals sharing a cell designed for one person between April 2008 and February 2009.

In the run up to the election the Tories said they would increase prison capacity to avoid the need for any early release scheme, and would deport foreign prisoners earlier to save space.

The manifesto said: "In the last three years, 80,000 criminals have been released early from prison because the Government failed to build enough places. We are determined that early release will not be introduced again, so we will redevelop the prison

estate and increase capacity as necessary to stop it." A Ministry of Justice spokeswoman said: "This is an interesting and timely contribution to the debate on prison reform.

"Prisons are an extremely important part of our

criminal justice system. They must be used effectively for the protection of the public while giving prisoners the best possible chance of being rehabilitated and increasing the likelihood of them leading law-abiding lives when they are released."

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the Mackesys page

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FOSIA JURY

Mackesys Solicitors has been a major criminal practice in South London for more than 20 years and holds three Criminal Contracts, awarded by the Legal Services Commission. Our Prison Law Department looks after the Rights of Prisoners, whether they are long-term or only just detained.

Our Specialist Prison Law Team is headed by Fosia Jury and Darren Cousins, both of whom have been accredited by the Institute of Prison Law and other members are Clint Ambrose, Charana Sangeewa, Antonita Nagalingam and Nasreen Hussain who have all been through a thorough training and accreditation process.

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DARREN COUSINS

We are acutely aware of how distressing and confusing issues surrounding imprisonment can be for both the person detained and their families, and will do everything we can to alleviate the strain placed on those involved.

Prison Discipline

Have you been charged with an offence against prison discipline? Are you now waiting an adjudication either before an independent adjudicator or prison governor?

We can represent you, in person, at the hearing before the independent adjudicator. However, this representation is not available before the governor, BUT we can forward representations on your behalf to the governor.

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You will be subject to licence conditions. Should you breach any of the conditions you will be liable for revocation and recall to prison. If you have been recalled to prison for breach of licence conditions, we will be able to assist you and, where appropriate, represent you at an oral hearing before the Parole Board.

Appeals

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The criminal justice system can and does get it wrong. We have solicitors who specialise in appellate work, both in appeals against conviction and sentence.

Appeals against conviction

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- Police error or misconduct

- Improperly obtained confessions
- Flawed identification
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- Poor defence lawyer team

WE CAN GET LEGAL AID UNDER THE ADVICE & ASSISTANCE SCHEME (where applicable) Please write to us or call for further details.

We can help! We can look through your case and provide you with an opinion on whether you have any merits in appealing. This work is time consuming and involves a thorough analysis of your case but there might be fresh evidence that has come to light which was not available at the time of your trial. All of this matters.

It can be a long and difficult task in overturning a conviction and those who have been wrongly convicted face a struggle to put the wheels of justice into reverse. It is so important that we work together as a team to ensure that we get things properly prepared and right before lodging any grounds for appeal. You will need a committed solicitor throughout this process.

Due to the time consuming nature of appeals against conviction, we only concentrate on the most serious cases where the client has been sentenced to a term of imprisonment of at least 10 years or more.

Appeals against sentence

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Was the sentence passed much more than was expected?

Was the sentence not justified by law?

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Mackesys specialises in Family Law, including divorce, cohabitation, domestic violence and we have major expertise in cases involving children, including child abduction.

Our solicitors are all specialist family lawyers and are committed to providing an excellent and sympathetic service to all of our clients. They understand the trauma and distress involved in family breakdown and aim to offer clients a friendly and straightforward service, with a clear explanation of the options available to them. This then enables clients to make well informed decisions with the knowledge that they are doing so having received expert advice.

Mackesys is also committed to legal aid and we have been approved by the legal services commission and currently hold a family law contract with them.

SPECIALIST AREAS

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We represent parents in this country and abroad in conventional cases where children have been removed without parental consent. If you believe there is a risk of your child being taken abroad by a relative or your ex-partner without your consent we can act quickly in an emergency to obtain court orders to prevent the removal.

RESIDENCE DISPUTES

Where parents cannot agree about the arrangements for their children the court can make orders under the Children Act 1989. The court can therefore decide where a child should live in the form of a residence order.

CONTACT DISPUTES

When parents cannot agree the arrangements for their children the court can make orders under the Children Act 1989. The court can decide how often the child should see another parent or relative in the form of a contact order.

CARE PROCEEDINGS

We represent parents, children and others in disputes with local authorities relating to:

- Care orders and emergency protection orders, including emergency hearings
- Supervision orders
- Secure accommodation orders
- Child protection investigations
- Adoption

We can also advise extended family members on what they can do to ensure that they are assessed by social services as carers for children whose parents are not able to look after them.

DOMESTIC VIOLENCE

In these very traumatic and distressing situations we can offer sympathetic and practical legal help. We offer an immediate response and urgent same day appointment (where necessary).

We can help with:

- Protection against violent partners or other family members by way of non-molestation orders.
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ABC It's NOT as simple as doe ray me...

**GT Stewart Prison Lawyer
Kirsty Rampling writes on
the Categorisation Process**



Here at GT Stewart we know that categorisation is one of the most important issues for a serving inmate. It affects the regime that has to be followed and the privileges that an inmate is entitled to. Categorisation can also affect release, especially if you are on an IPP sentence, in these cases, categorisation is one of the important factors that the Parole Board will consider when it makes the decision as to release an inmate or recommend a transfer to open conditions.

Let's start from basics.

There are four security categories for adult sentenced males, those being defined as follows:- Category A – Prisoners whose escape would be highly dangerous to the public or the police or the security of the state and for whom the aim must be to make escape impossible.

Category B – Prisoners for whom the very highest conditions of security are not necessary but for whom escape must be made very difficult.

Category C – Prisoners who cannot be trusted in open conditions but who do not have the resources or will to make a determined escape attempt.

Category D – Prisoners who can reasonably be trusted in open conditions.

The PSO 0900 holds the provisions for how inmates are categorised. It states that 'prisoners must be categorised objectively according to the likelihood that they will seek to escape and the risk that they would pose should they do so.' Despite this provision, it is clear that there may be inmates who, despite posing little risk, may be categorised as a higher category than they should be due to their behaviour whilst in custody. No other factors aside from risk to the public, of escape and relevant control issues should be taken into consideration. When an inmate is first remanded, their categorisation status will be set as 'U' (unclassified).

These prisoners will usually be held within a local establishment unless they have been provisionally categorised as A (due to the inevitable length of their sentence and/or the offence for which they are remanded for).

Category A prisoners will always be subject to a detailed set of security procedures with the aim of making escape impossible for those identified as posing a very high risk to the public. Unlike other security categories, category A status is decided by the Directorate of High Security Prisons (DHSP) at the Prison Service headquarters.

Category A decisions take place at the following times:-

- Local Prisons identify potential category A prisoners when remanded and report them into the Directorate of High Security Prisons which then

decide whether the prisoner should be given provisional category A status.

- Once convicted and sentenced, the first formal review takes place with disclosure and an opportunity for the prisoner to make representations.

- If the prisoner remains category A after the first formal review then the next review normally takes place two years later, with annual reviews thereafter.

The category A review process is fully contained within PSO 1010 and is predicated on the right of the inmates to make only written representations, which can be done via the inmate's legal representative, to the Directorate of High Security Prisons. However, the Courts have recognised that there may be circumstances for which an Oral Hearing applies on the grounds of fairness. The Director's decision will provide reasons for both the category A decision and the escape risk classification.

Categorisation for prisoners other than category A is decided by the Observation, Classification and Allocation (OCA) Unit within the prison.

For inmates that are serving less than 12 months, a streamlined policy has been put in place and these prisoners should be subject to a requirement that they spend at least seven days in closed conditions.

They should be then placed in category D conditions unless they have been convicted of a sexual offence, serving a sentence for violence or under terrorism legislation, has outstanding medical appointments or has further charges pending.

For inmates who do not qualify for category D status under the streamlined policy, the initial categorisation process should be completed within two working days of receipt of all reports. At this review, most inmates will be deemed a category C

prisoner unless they are serving a sentence of 10 years or more, have been a category A inmate during a previous sentence, the current sentence is for terrorism or any previous sentence is for terrorism or the inmate has been treated as a provisional category A prisoner whilst on remand. Once the inmate has been categorised, the inmate will then be allocated to prison for where they will serve the foreseeable sentence. The OCA Unit must take the following priorities into account when making this decision:-

- The needs of security
- The need to make maximum use of available spaces
- The needs of individual prisoners

It has been recognised that these priorities are not always practical given the current situation of prison overcrowding. The decision will then have to be recorded on a form entitled ICA1 and the decision must be 'justifiable' in light of the priorities.

The categorisation and allocation process is slightly different in the terms of women prisoners. The category status for women prisoners is as follows:-

Category A – The same as for male category A

Closed Conditions – inmates for whom the very highest of conditions for security are not necessary but who present too high risk for semi-

open or open conditions. Semi Open Conditions – Inmates who present a low risk to the public but who require a physical perimeter security.

Open Conditions – Inmates who present a low risk; can be reasonably trusted in open conditions.

The PSO 0900 refers to category A status for women, the reality is now different. In 2005, all women category A inmates were downgraded to what is known as 'restricted status'. As a result of this, there are now no category A women inmates and very few 'restricted status' women inmates.

The PSO 0900 states that all women inmates 'must be categorised objectively according to the likelihood that they will abscond and the risk that they would pose should they abscond'. If none of the following apply, then the inmate must be deemed as suitable of open conditions:-

- Current sentence is 3 years or more
- Current offence is a serious offence
- Inmate has previously received a sentence of 3 years or more within the past 5 years
- Offence is against a child
- Concerns about association with serious criminals
- Diagnosed with psychiatric or psychological problems
- Further charges outstanding
- Concern about breach or escape

If it is decided that the inmate is not suitable for open conditions then they will be allocated to a closed establishment.

As with the policy for male inmates, the policy states that the allocation procedure should recognise factors, which may influence the inmate's allocation. These factors include the need to facilitate visits from children and various other issues.

It should be noted that once a category is confirmed. This decision could be overturned as a result of behaviour or intelligence. The most common circumstances are for prisoners in category D conditions to be returned to category C conditions as a result of intelligence, pending adjudications or general behavioural issues. Any removal from category D conditions, or any other conditions, should be appealed via the internal complaints procedure, and if that fails, seek advice from a legal representative.

Kirsty Rampling is a prison lawyer with GT Stewart Solicitors, they are a London based firm with expertise in the areas of prison law, judicial review, appeals and all types of criminal defence work. If you need advice on any prison law matter please contact Greg Stewart or Kirsty Rampling - our details are at the foot of this page.

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CONSCRIPT

Letters to the Editor.....

DO I HAVE TO DO THE IDAP COURSE EVEN THOUGH I'VE NOT BEEN BEEN DONE FOR DOMESTIC VIOLENCE?

Can you please clarify an issue for me? I'm currently 12 weeks away from release from a four year sentence for four knife point robberies, I have completed all of my sentence plan and have done everything that has been asked of me. My outside Probation Officer recently came to see me and asked me to sign some forms for courses that I have to do upon my release. When I got back to my cell I looked at the course, which is called IDAP and found it is to do with domestic violence. I've never been convicted of domestic violence so do I have to do it?

My ex-partner has phoned the police on me several times but never took it any further as all we did was argue and she was violent to me though I never told anyone. Can you tell me if I have to do the IDAP Course as my Probation Officer has said that if I don't do it I would be recalled for two years until my SED.

If I thought the course would help reduce my reoffending I would do it but it seems irrelevant.

Andrew R
HMP Everthorpe

Mark Leech replies: The simple answer is 'Yes', you do have to do it, unless you want to be recalled spend six months waiting for a recall hearing and take your chances that you'll convince the Parole Board the recall was wrong and you were right - with four knife point robberies under your belt and a partner who has called the police and complained about feeling threatened, I'd say you were on pretty dodgy ground. Let's look at the course because this is something that people write to me about frequently. First of all the IDAP Course is not just for those who have been convicted of domestic violence; so what is it?

The Integrated Domestic Abuse Programme (IDAP) is a group programme for convicted offenders which focuses on concepts like control and misuse of power - knife point robberies seem to fit pretty well into that criteria. Offenders are expected to talk openly about their violence to the group, and listen to others' experiences - this, along with the educational content of the course has been proven to help violent men recognise the impact of their violence, take responsibility for their actions and eventually stop their violent behaviour.

The course addresses both physical and psychological violence. This can include isolation from friends or family; degradation - public humiliation, forced

sex acts or repeated household chores; threats of the above, threats to children or threats of suicide; making ceaseless demands, having unpredictable moods and holding distorted perspectives such as "I only hurt you because I love you". The victims themselves often have an important part to play in their partner's rehabilitation, and the victim's needs are always supported first and foremost. If the victim and the offender are still in contact the victim is asked to give regular feedback to help shape the offender's supervision. The safety of any women or children involved is paramount and the success of the Programme is judged on how far they are protected.

IDAP is based on a co-ordinated effort by a number of agencies, including Probation and Police, and requires co-operation between all the Criminal Justice agencies. Often, women's groups and charities like Victim Support also involved - this partnership approach allows the Probation service to build up a comprehensive picture of the offender's behaviour, and decide on the most suitable kinds of intervention. Some Key Facts

Approximately half of all rapes are by a husband or partner.

When a man is violent to his partner there is 70% chance he will also be violent to his children.

34% of murders of women are by a partner/ex partner.

In 68% of cases, children witness the assaults on their mother.

Every week in the UK, 2 women are killed by current or ex-partners.

Domestic Violence accounts for 1/4 of all violent crime.

On average a woman will be assaulted by her partner or ex-partner 35 times before reporting it to police. Domestic Violence occurs

regularly among people at all income levels and among people from all ethnic backgrounds.

A quarter of all women have experienced Domestic Violence.

This course, though aimed at violence in relationships and in a domestic setting actually covers all aspects of violence.

Do the course, a couple of hours a week or whatever it takes is better than being recalled; your Probation Officer is right, you could be recalled for failing to do it and then spend the next two years of your licence period in jail until your Sentence Expiry Date (SED) - and who knows it might just stop you robbing people at knife point in the future. Good luck.

CAT A REVIEWS & 'PSO WATCH' WHICH IS RIGHT?

That 'other' prisons newspaper regularly runs a column called **PSO Watch** which aims to explain **Prison Service Orders**. I'm a **Cat A** at **Frankland** and enclose a copy of a recent **PSO Watch** which talks about **Cat A reviews**. It states that as a **Cat A** I can only have access to a summary, or 'Gist', of the reports that will be prepared but other cons here tell me I'll be able to have access to them all - whose right? I've coming up for my first formal review, what is the process please

Billy T
HMP Frankland

Mark Leech replies: The Cons are right, PSO Watch is wrong - again! The 2003 case of ex.parte Alan Lord - which PSO Watch I makes no reference to - made it clear that a Cat A Prisoner facing a security category review is entitled to have access to all the reports that are prepared for the review; the only exceptions now are those under the Data Protection Act. The old 'gist' system that PSO Watch refers to was legally made defunct seven years ago.

You ask about the process for your 'first formal review' and this is as follows.

The Director of High Security will review the security category of each provisional Category A and Restricted Status prisoner as soon as possible after their

security category has been confirmed following conviction and sentence - this is known as the first formal review. The Director may at the same time review the escape risk classification of a confirmed Category A high or exceptional escape prisoner as well.

The Director will review each case with an advisory panel including police advisers, a psychologist and staff from the Category A Team. The Director and the panel normally meet once a month. You will be able to submit representations to this review through the disclosure of a dossier setting out the information to be used.

Provisional Category A and Restricted Status prisoners will normally have their first formal review shortly after their conviction and sentence. Within one week of the prisoner being sentenced the prison will send the Category A Team copies of the following documents: the Crown Court warrant or order for imprisonment (5035 form), the indictments and the trial record sheet (5089 form).

The Category A Team will prepare a review dossier based upon this information. Other information may also be used, including the judge's sentencing remarks, your previous offending history and police information. A copy of the completed dossier and an explanatory letter will be sent to you to allow you to submit your representations which must be put in within four weeks.

Once the panel has made a decision on your continuing Cat A status they will write to you setting out the decision within four weeks of the panel's decision.

PRISONERS: LAW & PRACTICE

I write regarding the book advertised in **Converse** called **Prisoners: Law and Practice** by **Simon Creighton**. I have been unable to get a copy from the Library here at **HMP Frankland** and was wondering if you could tell me where I can obtain the book from?

Is this publication one of the books that has to be held in each establishment library?

Is it a newer version of **Prisoners &**

He'd already stabbed someone to death - Yet they still gave him a craft knife



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The Law 3rd Edition?

KT

HMP Frankland

Mark Leech replies: Prisoners: Law and Practice - see Page 4 of this edition - is indeed a newer version of Prisoners and the Law 3rd edition; this edition was published in September 2009. It is not a book that currently has to be held in each library, though each library should certainly obtain a copy because it is really excellent.

You can buy a copy of the book at a discount price by writing to Converse, or have someone buy it for you from our web site - prisons.org.uk.

You might like to know that we are shortly to publish a brand new book on prison law *"The A-Z of Prison Law: a Guide for Prisoners and their Lawyers"* written by Barrister Stephen Field. It is right up to date and for the first time those who buy the book will be able to subscribe to monthly updates which will ensure their copy doesn't become out of date between each new annual edition - watch out for full details of it in the July edition of Converse!

**INDETERMINATE SENTENCES-
WHAT ARE THEY?**

I really enjoy reading Converse but as I'm new to prison I'm often lost by all the talk of 'indeterminate sentences' and baffled too by the many varieties that there seem to be; could you explain them and how people get released from each of them?

Danny W

HMP Swansea

Mark Leech replies: I can try! Indeterminate sentence are those which, as the name suggests, are not of a fixed length - 12 months, five years, ten years etc. Each indeterminate sentence has two parts to it, the first part is usually referred to as the 'tariff', and this is the number of years that must be served to mark the 'punish' aspect the offence - you have to be careful calling it a 'tariff' because it is important to recognise the distinction between the term "tariff" and the "specified parts" of sentences now set by judges which run from the date of sentence and exclude time spent in custody on remand; many people think the tariff includes time on remand, but the 'specified parts' of a sentence issued by a judge do not include such custodial periods and start from the date of sentence. Every indeterminate sentence inmate must serve the 'tariff' before they are eligible for release.

Put bluntly an 'indeterminate sentence' is a 'life sentence' - a sentence that lasts for life, though most will be released from it under licence; there are five different kinds of 'life' (or indeterminate

sentence, each with their own routes to release.

1. Mandatory lifers.

A mandatory life sentence is the only sentence which can be passed following a conviction for murder. 'Mandatory lifer' therefore refers to anyone convicted of murder and the age variances are:

- life imprisonment (for those aged over 21);
- custody for life (for offences and convictions between the ages of 18 and 21); or
- detention during Her Majesty's pleasure (HMP) (for offences committed when aged under 18).

In the case of mandatory lifers **sentenced prior to 18 December 2003** the tariff was set by Ministers.

The tariff period runs from the date of first remand in custody and includes all periods spent in custody on remand. The tariff period represents the full punitive period to be served. It does not take into account any concerns over the lifer's potential risk.

In November 2002, as the result of a judicial review, the House of Lords decided in the case of Anderson that tariff-setting was a sentencing exercise that should be performed by a judge - not a Minister. Tariffs set by Ministers were found to be incompatible with the European Convention on Human Rights (ECHR), but not illegal. This distinction was important because it meant that tariffs which had already been set were still enforceable.

After the Anderson judgment ministers stopped setting new tariffs and the judgment was given effect by the Criminal Justice Act 2003 (CJA2003), which came into force on 18 December 2003. Since that date, all newly convicted lifers have had their minimum terms set in open court by the trial judge. CJA2003 allows existing prisoners with an unexpired ministerial set tariff to apply to the High Court to have a new minimum term set. If they do not apply, then the original tariff will remain the effective punitive period for that lifer.

There were over 700 transitional cases where the mandatory lifer was sentenced prior to 18 December 2003 who did not have tariff set before the Anderson judgment. All such cases were been referred to the High Court by the Prison Service - the majority of these cases have now been set but a small number remain outstanding and so still do not have tariffs.

Cases sentenced on or after 18 December 2003

In these cases, the trial judge, when passing a mandatory life sentence, normally specifies a period of imprisonment for punitive purposes - referred to in the 2003 Act as the "minimum term". (Where the offence is so serious that the offender should never be released the judge must make a 'whole life order' to that effect). The minimum term differs from a tariff set by Ministers in that it runs from the date of

sentence and is calculated by the judge to give the prisoner credit for time already spent in custody on remand. To set a minimum term the trial judge must first choose the appropriate starting point based on the broad circumstances of the murder, these are :

- whole life, if that doesn't apply then
- 30 years, if that doesn't apply then
- 15 years, if that doesn't apply then
- 12 years (for HMP detainees)

Once the starting point has been chosen, the trial judge must weigh up any aggravating or mitigating factors not covered by the starting point to decide if the minimum term should be set higher or lower. The final step in the process is to deduct any time spent in custody on remand to reach the minimum term which runs from the date of sentence. There are no minimum or maximum tariff lengths.

2. Detainees during Her Majesty's Pleasure

The sentence of detention during Her Majesty's pleasure is the statutory penalty for a person who commits murder between the ages of 10 and 18. The offender's actual age at date of conviction is irrelevant. The trial judge sets a minimum term in the same way as for an adult murderer but with a single starting point of 12 years. Since June 2008, HMP detainees whose tariffs have not expired, are entitled to periodic reviews of progress in custody with the possibility of reduction in tariff. This was prompted by a House of Lords judgment in the case of Smith (July 2005) which ruled that the Secretary of State had a duty to keep the tariffs of HMP detainees under review. The purpose of the review is to determine if the existing tariff is still appropriate in light of the detainee's progress in custody. Detainees become eligible for a review once they have reached the halfway point of their current tariffs. The reviews are not automatic; once the halfway point is reached, the detainees will be contacted and invited to apply for a review.

3. Discretionary lifers

There are a whole range of offences which, as a maximum penalty, carry a life sentence - they include rape, arson with intent, GBH with intent, and armed robbery for example. The judge decides if the maximum sentence is justified. The tariff (or 'specified') part of the sentence is determined by the trial judge for discretionary lifers in order to reflect the seriousness of the offence or the combination of the offence and other offences connected with it. This should exclude concerns about risk. The specified part is set by the trial judge in open court at the time of sentencing. It is normally calculated by deciding on the notional determinate period which would have been imposed, halving it,

and then deducting any time spent in custody on remand - you just have to hope the judge is alright with mental arithmetic!

In very exceptional discretionary lifer cases, the judge may have declined to set a specified part for the sentence. No Parole Board review date can be set in such cases meaning that the prisoner will never have an opportunity to be released. Prisoners in this position can appeal against their sentence to have a specified part set by the Court of Appeal.

4. Automatic lifers

The 'automatic' or two-strike' life sentence was introduced on 1 October 1997 for anyone aged 18 or over who was convicted of a second serious violent or sexual offence. The automatic life sentence was effectively replaced as a sentencing tool by the indeterminate sentence of Imprisonment for Public Protection for offences committed on or after 4 April 2005. However, existing automatic life sentences are still enforceable and they can, and should, still be given to newly convicted prisoners where a qualifying offence was committed before 4 April 2005, regardless of the date of sentence. The tariffs for automatic life sentences are set in the same way as discretionary cases described above.

5. Imprisonment/Detention for Public Protection (for offences committed on or after 4 April 2005)

Section 225 of the Criminal Justice Act 2003 introduced, with effect from 4 April 2005, a new indeterminate sentence of imprisonment for public protection (IPP) for an offender who is convicted of a serious specified violent or sexual offence for which the maximum sentence is 10 years or more and who, in the court's view, poses a significant risk of serious harm to the public through the commission of a further specified offence. Where the maximum penalty for a specified violent or sexual offence is a life sentence and the seriousness of the offence warrants it, a discretionary life sentence must be passed. In either case, when passing sentence, the court must set a specified part for the purposes of punishment and deterrence.

Section 226 of the Criminal Justice Act 2003 applies the sentence of detention for life for public protection (DPP) to those under 18 years of age. In July 2008 the Criminal Justice and Immigration Act 2008 introduced a minimum tariff of 2 years for IPP and DPP prisoners, except in cases where an offender has previously been convicted of one of the offences listed in section 15A of the Act. This refers to the full punishment period before any remand time is deducted.

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Met Launches 'Most Wanted Recalls'

Scotland Yard has re-launched its most wanted website in a bid to trace more missing murderers, rapists, robbers and fraudsters - including pictures of 40 'Most wanted Recalls'.

The London force has asked charity Crimestoppers to host its latest list of almost 100 wanted men and women. Members of the public in every one of the capital's 32 boroughs can examine people wanted for crimes in their area.

Among the high-profile wanted men are suspected murderer James Tomkins and Afghan asylum seeker Fida Utmanzai.

Utmanzai, who slit the throat of a butcher in Tottenham, escaped from a north London psychiatric hospital earlier this year. There are also several pictures of unidentified suspects captured on CCTV cameras in the street, businesses and on public transport. But there appeared to be some early teething troubles on the website, with some of the best-known cases absent.

These included Farouk Abdulhak, who is wanted over the murder of Norwegian business student Martine Vik Magnussen and is thought to be hiding in Yemen.

The website also posted the location of many offenders as various prisons and psychiatric hospitals. One suspected sex offender was given the address of the Met's Empress State Building and a man accused of making threats to kill has his full home address listed.

Other wanted appeals involve suspects who have been on the run for a long time, including a man caught with a weapon in 2001.

Deputy commissioner Tim Godwin said police work "tirelessly" to catch suspects but will always need the help of the public. He said: "This is a great tool that everyone can use to help make London even safer by helping us get criminals off our streets."

Appeal details

Recall to Prison
CRIME TYPE: Burglary
LOCATION: HMP WAYLAND
DATE: 5-Apr-2010
NAME: David KELLY
NICKNAME: William GILBANK
CS REFERENCE: CS1005-4233
POLICE FORCE: Metropolitan Police Service

Appeal details

Wanted for Recall to Prison
CRIME TYPE: Violence
LOCATION: HMP EDWINGES
DATE: 23-Apr-2010
NAME: Dorian CRAWFORD
NICKNAME: Dorian MARTIN
CS REFERENCE: CS1005-4240
POLICE FORCE: Metropolitan Police

Appeal details

Wanted for Recall to Prison
CRIME TYPE: Violence
LOCATION: HMP BELL
DATE: 20-Apr-2010
NAME: Josh MCEVILL
CS REFERENCE: CS1005-4311
POLICE FORCE: Metropolitan Police

Showing results 1 to 8 of 24
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> Wanted for Recall to Prison
LOCATION: HMP LITTLEHEY
CS REFERENCE: CS1005-4267
Wanted for Recall to Prison

> Wanted for Recall to Prison
LOCATION: HMP Highdown
CS REFERENCE: CS1005-4320
Wanted for Recall to Prison

> Wanted for Recall to Prison
LOCATION: ONLEY
CS REFERENCE: CS1005-4292
Wanted for Recall to Prison

> Recall to Prison
LOCATION: HMP WAYLAND
CS REFERENCE: CS1005-4233
Recall to Prison

> Wanted for recall to prison
LOCATION: HMP Dovegate
CS REFERENCE: CS1005-4311
Wanted for recall to prison

> Wanted for Recall to Prison
LOCATION: HMP Birmingham
CS REFERENCE: CS1005-4283
Wanted for Recall to Prison

> Wanted for Recall to Prison
LOCATION: HMP BULLWOOD HALL
CS REFERENCE: CS1005-4281
Wanted for Recall to Prison

> Wanted for Recall to Prison
LOCATION: HMP WORMWOOD SCRUBS
CS REFERENCE: CS1005-4310
Wanted for Recall to Prison

Appeal Court Rules Against MI5



Secret evidence cannot be used in a civil damages claim being brought by six former Guantanamo Bay detainees, the Court of Appeal has ruled.

Binyam Mohamed and other former prisoners are seeking to sue the

Government for complicity in torture, and the Government and security services wanted to use secret information in their defence.

But Lord Neuberger, the Master of the Rolls who headed a panel of three appeal judges, declared that it was not open to the courts to order a closed material procedure in an ordinary civil claim.

He said: "The primary reason for our conclusion is that, by acceding to the defendants' argument, the court, while purportedly developing the common law, would in fact be undermining one of its most fundamental principles."

The former detainees - Binyam Mohamed, Bisher Al Rawi, Jamil El Banna, Richard Belmar, Omar Deghayes and Martin Mubanga - deny any involvement in terrorism and allege that MI5 and MI6 aided and abetted their unlawful imprisonment and extraordinary rendition to various locations around the world, including Guantanamo, where they say they suffered torture and inhuman and degrading treatment. The intelligence services, Attorney General Baroness Scotland, the Foreign Office and

the Home Office contest the claims.

The Government asked for the trial to be heard under the closed procedure whereby the claimants would not see large parts of the evidence being used as a defence. Mr Justice Silber ruled in the High Court in November last year that there was no reason in law why the court could not allow a "closed material procedure" to be used in a claim for damages. The former detainees took their case to the Court of Appeal where it was ruled in February that paragraphs which gave details of Mr Mohamed's torture in US custody should be published. Now the court again ruled against the Government in a case in which human rights groups Justice and Liberty and a number of media organisations intervened, arguing that the Government's secrecy proposals breach the right to a fair and open trial, and are contrary to the right to freedom of expression and the public's right to know what the authorities are or have been doing on its behalf.

Lord Neuberger said "This is one of those cases where it is right for the court to take a clear stand, at least in relation to ordinary civil proceedings."

He added: "The importance of civil trials being fair, the procedures of the court being simple, and the rules of court being clear are all of cardinal importance. It would, in our view, be wrong for judges to introduce into ordinary civil trials a procedure which cuts across absolutely fundamental principles."

He said a person's right to know the case against him and to know the reasons why he has lost or won is fundamental to a fair trial.

New Met Computer £10M Over Budget



A new computer system at the forefront of the Metropolitan Police's bid to save cash is running six months late and £10 million over budget.

Scotland Yard bosses planned to spend £38 million overhauling its human resources department with a centralised IT system. But the project, anticipated to save £15 million a year, is now expected to cost £48 million and no date has been set for its final launch. Commissioner Sir Paul Stephenson has attended a series of crisis meetings over the delays and legal advice has been sought on the contract.

One source told The Times: "It's a very sensitive matter. Lawyers have been consulted but the cost of litigation would be greater than the cost of trying to fix it."

Senior officers have been closely watching progress of the complex overhaul and anticipated some delays. The new system was intended to centralise human resources work and would leave staff and officers with a single contact point, available 24 hours a day. A west London command centre would oversee everything from planned leave to reporting

sickness, pensions and even disciplinary and misconduct issues.

The news comes with police chiefs under huge pressure to slash spending in the face of extremely tight future budgets. Labour set police in England and Wales a target of £480 million in savings this year and many forces are planning more.

The £6 billion in extra cuts the new coalition Government is planning are almost certain to mean further funding shortfalls. Most chief constables are also re-examining back office functions, such as human resources, as they try to save cash while maintaining the frontline.

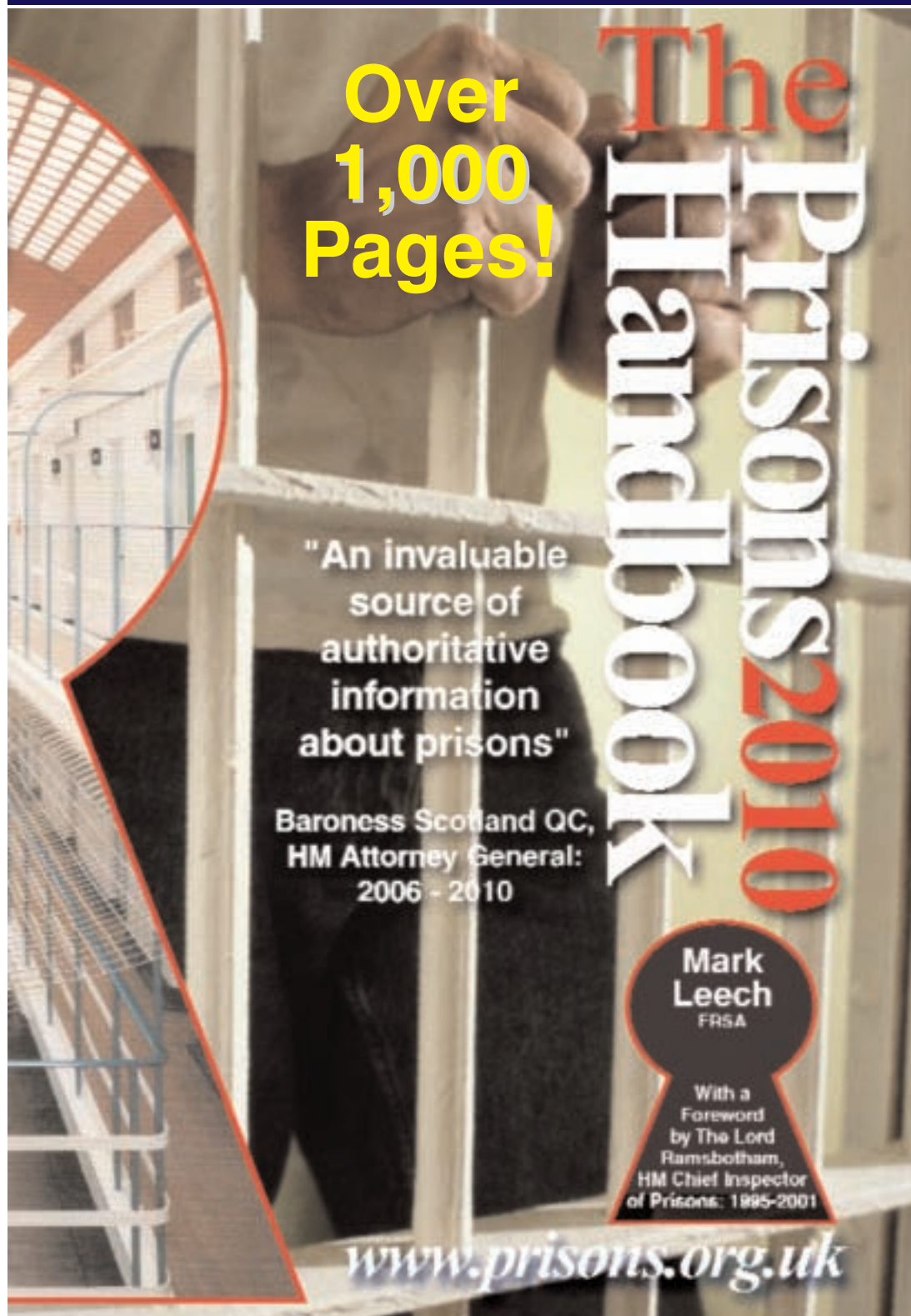
The Met employs more than 52,000 officers and staff and the new system will reduce the number of human resources employees needed to look after them by 330.

A Met spokesman said IT business service Steria, which has its headquarters in Paris and employs 16,000 people around the world, is responsible for the project. He added: "It is a major change programme."

The original go-live date was provisionally forecast to be December 2009 but the technology is not yet fully developed."

The spokesman said that progress is on track, with a revised go-live plan forecast for the second half of 2010. He said:

"The project plan has been fully discussed and agreed with all parties, including the Metropolitan Police Authority. The revised budget was agreed in 2009. The total programme will cost £48 million delivering annual savings of £15 million."



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Minister Promises: No More Kids Held in Detention



Children will no longer be detained overnight at Scotland's immigration removal centre with immediate effect, a government minister has finally announced.

Families detained north of the border may undergo initial health and welfare screening at Dungavel in Lanarkshire but would then be moved to Yarl's Wood Immigration Removal Centre in Bedfordshire, which has specialist family and child facilities and support services.

The announcement comes after the Scottish Government criticised the continuing detention of

children at Dungavel. The coalition deal between the Tories and the Liberal Democrats, which was agreed last week, includes a commitment to end the detention of children in the UK.

Yesterday Scottish Education Secretary Mike Russell wrote to new Home Secretary Theresa May outlining his "strong concerns" when it emerged that a woman and her eight-month-old daughter were locked up in Dungavel Immigration Removal Centre.

Immigration Minister Damian Green said that the practice would now end in Scotland.

He said: "I am announcing that, with immediate effect, children will no longer be detained overnight at Dungavel Immigration Removal Centre.

"This is something which many groups in Scotland have been calling for, and we are now delivering this positive outcome.

"We are committed to ending the detention of all children for immigration purposes. I hope that we can have plans agreed within the next few months."

The woman and her baby daughter will be moved to Yarl's Wood today.

Mr Green last week announced a review of the alternatives to detention for children of failed asylum families.

The UK Border Agency is already working with the Scottish Government, Glasgow City Council, and the voluntary sector to establish alternatives to detention.

Mr Green said: "I have already announced the launch of a comprehensive review of alternatives to child detention, including opening a dialogue with relevant stakeholders, organisations and experts.

"This work has now started, because it is in all our interests, including those children currently in detention, to do it quickly, but to also do it well and safely."

The SNP called for guarantees from the Home Office that children will only be taken to Yarl's Wood as a last resort.

The party said Lib Dem claims about immigration have been "badly exposed" and claimed the Home Office is "unfit for purpose".

Glasgow SNP MSP Anne McLaughlin has campaigned to prevent Florence Mhango and her 10-year-old daughter Precious, who were held at Dungavel and Yarl's Wood, from being deported.

She said: "From Precious we know the horrific impact detention at Dungavel has on young children, but we also know that her experience at Yarl's Wood was no better.

"By removing children immediately to Yarl's Wood they are being taken away from the support networks and services they have built up in Scotland.

"The House of Commons has been highly critical of child detention in Yarl's Wood and we must see this practice brought to an end across the UK as soon as possible.

"For Precious and her mother Florence being removed immediately to Yarl's Wood would have reduced their access to the legal system.

"There must be guarantees from the new Government that children are only being detained as an absolute last resort and that no one will lose access to the law, or the ability to challenge the Home Office's decision as a result of this move."

John Beacham of ChildLine said:

"I am pleased that we have finally won the argument, prison is often not a place for adults much less for children, and all the more so when they have not committed any offence.

"It is disappointing that this only applies north of the Border, I am hoping it will not be long before the same thing applies in England and Wales and we can treat children with respect."

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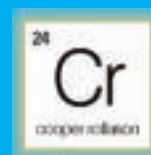
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Who is **YOUR** new MP?



Meet the Labour MP Graham Stringer - the new MP for Manchester Prison who believes no convicted prisoner should ever have the right to vote!

After four weeks of relentless campaigning, knocking on doors, the country has voted and decided not one of them deserve the right to have an outright majority - more than 230 new MPs now sit in the House of Commons - who is YOUR MP? Although the majority of prisoners cannot vote - and if people like Manchester Prison's MP Graham Stringer gets his way none of you will - they still have a duty to represent you. The list below shows MPs with prisons in their constituencies - write to them with your questions, queries, or complaints, whatever you may think of them they are paid to represent you. Contact your MP by writing to them at: The House of Commons, Palace of Westminster, London SW1A 1AA or call them on: 0207 219 3000



Meet Labour's Hazel Blears - the MP for Forest Bank Prison who voted for the Iraq War and later against any inquiry into it!

ACKLINGTON	Toby Hawton	UKIP
ALBANY	Andrew Turner	C
ALTCOURSE	Steve Rotherham	L
ASHFIELD	Steve Webb	LD
ASHWELL	Alan Duncan	C
ASKHAM GRANGE	Julian Sturdy	C
AYLESBURY	David Lidington	C
BEDFORD	Richard Fuller	C
BELMARSH	Teresa Pearce	L
BIRMINGHAM	Shabana Mahmood	L
BLANTYRE HOUSE	Greg Clark	C
BLUNDESTON	Peter Aldous	C
BRINSFORD	Gavin Williamson	C
BRISTOL	Stephen Williams	LD
BRIXTON	Chuka Umunna	L
BRONZEFIELD	Kwasi Kwarteng	C
BUCKLEY HALL	Simon Danczuk	L
BULLINGDON	Tony Baldry	C
BULLWOOD HALL	Mark Francois	C
BURE	Norman Lamb	LD
CAMPHILL	Andrew Turner	C
CANTERBURY	Julian Brazier	C
CASTINGTON	Alan Beith	LD
CARDIFF	Jenny Willott	LD
CHANNINGS WOOD	Anne-Marie Morris	C
CHELMSFORD	Simon Burns	C
COLDINGLEY	Michael Gove	C
COOKHAM WOOD	Mark Reckless	C
DARTMOOR	Geoffrey Cox	C
DEERBOLT	Helen Goodman	L
DONCASTER	Rosie Winterton	L
DORCHESTER	Oliver Letwin	C
DOVEGATE	Andrew Griffiths	C
DOWNVIEW	Crispin Blunt	C
DRAKE HALL	Bill Cash	C



Meet Tory Michael Gove - the MP for Coldingley Prison who believes in-cell TV should be scrapped!

DURHAM	Roberta Blackman	C	MOORLAND	Caroline Flint	L
EAST SUTTON PK	Hugh Robertson	C	MORTON HALL	Stephen Phillips	C
EASTWOOD PARK	Steve Webb	LD	NEWHALL	Mary Creagh	L
EDMUNDS HILL	Matthew Hancock	C	NORTHALLERTON	William Hague	C
ELMLEY	Gordon Henderson	C	NORTH SEA CAMP	Mark Simmonds	C
ERLESTOKE	Claire Perry	C	NORWICH	Chloe Smith	C
EVERTHORPE	David Davis	C	NOTTINGHAM	Christopher Leslie	L
EXETER	Ben Bradshaw	L	ONLEY	Chris Heaton-Harris	C
FEATHERSTONE	Gavin Williamson	C	PARC	Madeleine Moon	L
FELTHAM	Alan Keen	L	PARKHURST	Andrew Turner	C
FORD	Nick Gibb	C	PENTONVILLE	Emily Thornberry	L
FORESTBANK	Hazel Blears	L	PETERBOROUGH	Stewart Jackson	C
FOSTON HALL	Heather Wheeler	C	PORTLAND	Richard Drax	C
FRANKLAND	Roberta Blackman	L	PRESTON	Mark Hendrick	L
FULL SUTTON	Greg Knight	C	RANBY	John Mann	L
GARTH	Lindsay Hoyle	L	READING	Rob Wilson	C
GARTREE	Edward Garnier	C	RISLEY	Helen Jones	L
GLEN PARVA	Andrew Robathan	C	ROCHESTER	Mark Reckless	C
GLOUCESTER	Richard Graham	C	RYEHILL	Chris Heaton-Harris	C
GRENDON	John Bercow	SPKR	SEND	Paul Beresford	C
GUYS MARSH	Bob Walter	C	SHEPTON MALLET	Tessa Munt	LD
HAVERIGG	Jamie Reed	L	SHREWSBURY	Daniel Kawczynski	C
HEWELL	Savid Javid	C	SPRINGHILL	John Bercow	SPKR
HIGHDOWN	Crispin Blunt	C	STAFFORD	Jeremy Lefroy	C
HIGHPOINT	Matthew Hancock	C	STANDFORD HILL	Gordon Henderson	C
HINDLEY	Yvonne Fovargue	L	STOCKEN	Alan Duncan	C
HOLLESLEY BAY	Therese Coffey	C	STOKE HEATH	Owen Paterson	C
HOLLOWAY	Jeremy Corbyn	L	STYAL	George Osborne	C
HOLME HOUSE	Alex Cunningham	L	SUDBURY	Patrick McLoughlin	C
HULL	Karl Turner	L	SWALESIDE	Gordon Henderson	C
HUNTERCOMBE	John Howell	C	SWANSEA	Geraint Davies	L
KENNET	Bill Esterson	L	SWINFEN HALL	Christopher Pincher	C
KINGSTON	Penny Mordaunt	C	THE MOUNT	David Gauke	C
KIRKHAM	Mark Menzies	C	THE VERNE	Richard Drax	C
KIRKLEVINGTON	James Wharton	C	THORN CROSS	David Mowat	C
LANCASTER	Eric Ollerenshaw	C	USK	David Davies	C
LANCASTER FM	Eric Ollerenshaw	C	WAKEFIELD	Mary Creagh	L
LATCHMERE HSE	Zac Goldsmith	C	WANDSWORTH	Sadiq Khan	L
LEEDS	Rachel Reeves	L	WARREN HILL	Therese Coffey	C
LEICESTER	Peter Soulsby	L	WAYLAND	George Freeman	C
LEWES	Norman Baker	LD	WEALSTUN	Alec Shelbrooke	C
LEYHILL	Steve Webb	LD	WELLINGB'GH	Peter Bone	C
LINCOLN	Karl McCartney	C	WERRINGTON	Karen Bradley	C
LINDHOLME	Caroline Flint	L	WETHERBY	Alec Shelbrooke	C
LITTLEHEY	Jonathan Djanogly	C	WHATTON	Patrick Mercer	C
LIVERPOOL	Steve Rotherham	L	WHITEMOOR	Stephen Barclay	C
LONG LARTIN	Peter Luff	L	WINCHESTER	Steve Brine	C
LOWDHAM GR	Patrick Mercer	C	WOLDS	David Davis	C
LOW NEWTON	Roberta Blackman	L	WOODHILL	Iain Stewart	C
MAIDSTONE	Helen Grant	C	WORMWOOD SC	Andy Slaughter	L
MANCHESTER	Graham Stringer	L	WYMOTT	Lindsay Hoyle	L

Wakefield Attack on Serb General



The first Bosnian Serb convicted of genocide for his role in the 1995 massacre at Srebrenica has been attacked in a British prison.

Radislav Krstic, 62, was taken to hospital after being attacked by three inmates at the high-security Wakefield Prison. The former general is serving his 35-year sentence for aiding and abetting genocide after being transferred to the prison from The Hague in 2004.

Krstic's forces helped organise the slaughter of thousands of men and teenage boys in Europe's worst civilian massacre since the Second World War.

A West Yorkshire Police spokesman said: "Police were called to Wakefield Prison at lunch time today to an allegation of assault."

He said the inmate was taken to hospital with "serious injuries". "West Yorkshire Police are currently investigating the matter," he said. "Inquiries are at an early stage."

A Ministry of Justice spokesman confirmed a prisoner was assaulted by three inmates at 11.30am today.

Sources said Krstic was in a serious condition when he was taken to hospital but was returned to jail this afternoon. They said Krstic sustained cuts to his neck.

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“He’s Buggered Orf M’Lud”



apart from the prison service, by surprise that he's absconded." The judge told the court Duchesne, formerly of Elmshurst Crescent, East Finchley, north London, absconded from an open prison on January 16. "Mr Duchesne walked out of

A Walter Mitty fraudster jailed for four-and-a-half years after duping investors out of £12 million and living the "life of Riley" fled from jail, a court has been told.

City conman Marc Duchesne, 48, was jailed last year after he repeatedly peddled lies to wealthy victims, promising their money was completely safe one minute and then secretly squandering it on a string of top-of-the-range cars and other luxuries the next.

But Giles Cockings, for the prosecution, told Southwark Crown Court in London that Duchesne absconded from an open prison in January as he faced extradition to the United States to face similar serious charges on a similar scale.

The details emerged today as judge Michael Gledhill QC ordered Duchesne must pay almost £2 million in confiscation within six months or face being jailed for five years in default of payment.

The judge said: "In the short term the chances of him being arrested are slim.

"Having been transferred to an open prison, bearing in mind the anticipated extradition to the United States of America, it could not have taken anybody,

the open prison where he was being held serving his sentence.

"How it came about that he had been transferred to an open prison was a matter for the prison authorities.

"There is no doubt that they were aware he was awaiting extradition for similar offences to those he had pleaded guilty to in this country."

Mr Cockings, for the prosecution, added: "Your Honour's frustration is shared by both myself and those on the prosecution team."

Duchesne benefited to the tune of £11.5 million but by the time he was caught the financial cupboard was virtually bare, the court was told.

The judge granted £1,902,227.53 in confiscation, of which they already have £972,532.95, leaving just under £1 million outstanding.

Duchesne's spending sprees embraced a string of Ferraris including a rare Enzo supercar, as well as a chauffeur-driven Rolls-Royce Phantom, a Bentley Arnage and several Hummers.

Today, Mr Cockings said the Enzo was sold at auction by the authorities but various electrical items were "unsellable".

Duchesne absconded from an open prison in Eastchurch, Kent, it is understood.

As he was sentenced in March 2008, the court was told Duchesne also splashed out on several high-powered motorbikes and even bought a speedboat for a friend.

The swindler blew another £60,000 on the best Hollywood smile cosmetic dentistry could provide, saw £22,000 literally go up in smoke every time he

mass-ordered his favourite cigars, frittered away £1 million on valuable antiques for his luxury riverside penthouse and wasted a further fortune flying round the world in private executive jets.

He pleaded guilty to one count of conspiracy to defraud between October 1 2004 and July 11 2006. He asked for a further offence of obtaining a £50,000 money transfer by deception from a London businessman to be taken into consideration.

In addition to jail he was disqualified from being a director for 10 years.

Passing sentence last year, Judge Gledhill QC told Duchesne: "This case is about greed. You became

"Having been transferred to an open prison, bearing in mind the anticipated extradition to the United States of America, it could not have taken anybody, apart from the Prison Service, by surprise that he's absconded."

involved because of it, hoping to make easy money for nothing.

"The vast majority of the funds paid for your high lifestyle, living in the best part of London in the best of flats with valuable antiques furnishing it, driving a Ferrari Enzo, being chauffeured in a Rolls-Royce Phantom and spending thousands a month at Harrods.

"And by that conspicuous display of wealth you persuaded others, including investors, you were a highly successful hedge fund manager.

"In fact you were quite simply a common fraudster. You are a good conman, a good fraudster. You certainly were at the time. I have been told that you have changed your spots. I certainly hope that is true.

"You may at the time of this offence have been living in what's called a Walter Mitty world - that is, an unrealistic fantasy world - but it was rather well done from your point of view in that you lived the life of Riley. Mr Riley, whoever he may be, I hope he forgives me.

"You lived in very great style and was able to play the part... of a professional conman."

He told Duchesne, who married his gay partner in prison, that immediate custody was inevitable for his crimes.

The judge added while "investors in most cases have only themselves to blame... even they are entitled to be protected from fraudsters by the law of the United Kingdom".

As Duchesne was led from the dock, he turned to the judge and said: "Thank you very much Your Honour."

Detective Constable Andrew Bonafont, from the Met's Fraud Squad said Duchesne "touted this fictitious scheme across Europe" and showed no remorse for his actions.

Cops Must Review 999 Procedure

Merseyside Police must review its 999 call handling operation after a telephonist failed to hear a woman say she was going to kill herself.

Jennifer Morrow, 36, was found a few hours later hanging in a phone box, the Independent Police Complaints Commission said. The Merseyside Police handler somehow missed Ms Morrow say she was going to "top" herself when she rang 999 at 3.34am on 25 January 2009.

Ms Morrow, an ex-offender, had also phoned the

police about an hour earlier to report an alcohol-fuelled fight with her sister at their south Liverpool flat. She was keen to tell police she was only wearing a dressing gown and was locked out of the flat where a court order required her to stay after leaving Holloway Prison.

Ms Morrow was living with her sister as a condition of a two-year community service order, imposed for causing arson by recklessness. At 2.54am her sister Carol Morrow phoned 999 from a neighbour's flat

after being locked out to say Jennifer had attacked her. The call was classed as 'grade two' requiring an officer's presence within an hour, but the job was downgraded at approximately 3.42am after Carol Morrow spoke to an officer over the phone. The IPCC said no officers were available until 5.37am, but they were diverted to an emergency while en route to the Morrrows' flat. The IPCC investigation concluded "that both Ms Morrow and her sister had received an inadequate level of service. Individual failings were uncovered including a lack of empathy and reassurance during the calls and the incident being incorrectly downgraded".

The watchdog also noted the handler's failure to hear the ex-offender's threat "had terrible consequences". The force has been told to review its call handling operation, "including training, staff welfare and quality assurance". As a result of the



findings a sergeant and two members of police staff were made subject to "action plans to help them learn from the errors that were made".

IPCC Commissioner Ms Naseem Malik said: "I am content the investigation has shown this was a genuine mistake - but it was a mistake with devastating consequences. Lessons need to be learned from this. My sympathies go out to Ms Morrow's family and friends for their loss and I hope our investigation has helped give them a clearer picture of what happened on that night."

Chief Superintendent Dave Lewis, head of the Call Handling Department, said: "Jennifer contacted Merseyside Police in the hours before her death. By us not listening carefully to the call, not asking enough questions and not showing enough empathy, she did not receive the service she should have done. It is our job to protect and help vulnerable members of the public and we are sorry that we failed to do that for Jennifer."

MICHAEL PURDON

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'Fluke' Killer Sentence Cut



A London man whose wife died by a "fluke" chance when a TV remote he threw towards her hit her head has had his jail sentence reduced by the Court of Appeal. Electrical engineer Paul Harvey, (pictured above left) who killed 48-year-old Gloria Laguna (above right) when the remote struck her on a weak artery near her neck, had his prison term cut from three years to 21 months. It is understood that the ruling by three judges in London means that Harvey,

who was present in the dock of the courtroom for the decision, could be released in about two weeks' time.

Harvey, now 47, of Euston, was sentenced at the Old Bailey in December after earlier pleading guilty to manslaughter. Ms Laguna, a former American diplomat in India, had a rare condition which neither she nor her husband knew about. They had been arguing at home, after staying in to watch television, when Harvey lost his temper and

threw the remote in her direction - landing on the exact spot where she had a weakness in a vertebral artery. She died from a massive brain haemorrhage as Harvey tried to give her the kiss of life.

Allowing his appeal against the length of his sentence, Mrs Justice Rafferty said: "It seems to us that this is a genuinely single set of circumstances, extraordinary in its coincidences. We noted the medical evidence, uncontradicted, that Ms Laguna could have died at any stage by a simple turning of her head.

"We note also that this was not a one-punch manslaughter, but an intemperate throwing of a TV remote toward her.

"That being so, we are just persuaded that three years was too long."

The justice of the case could be met with the imposition of a sentence of 21 months, she added.

Jonathan Goldberg QC, representing Harvey, told the judges that it was an "extraordinary fluke incident".

"Even some wrenching of her head, for example, could have caused her to die in the way that she did," he said.



I Thought About Suicide - Tweed

Jade Goody's widower Jack Tweed said he contemplated suicide after being arrested on rape charges at his east London home, for which he was later cleared.

The club promoter said the stigma of being branded a rapist made him feel so low that "I just wanted to end my life".

In an interview with Victoria Derbyshire for Radio 5 Live, Tweed conceded he had acted immaturely and has now vowed to grow up. Tweed, 22, was cleared last week of raping a teenager at his home in Woodford Green, Essex, along with his friend Anthony Davis. The 19-year-old woman said she had been "frozen with fear", while Tweed said the sex was consensual.

Tweed, who was cleared by a jury in 15 minutes, was on remand for several months ahead of the trial. He said: "When I first went into prison I just wanted to end my life really. I just thought it was pointless carrying on with everything. "I don't want my name branded with something like this. The whole thing was just a horrible experience."

Tweed married former Big Brother contestant Goody last year just days before her death from cancer. He said he thought of suicide on a number of occasions while he awaited the court case.

"For the first few months I did think about it a few times," he said. "My name's just branded with the word rape and obviously there's people out there who are gonna believe it. And I didn't want anyone thinking of me like that.

"It was just a horrible feeling."

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'Camden Ripper' Must Never Be Released Court Rules



The man who became known as the Camden Ripper "should never be released from prison", a High Court judge has declared.

Anthony Hardy (above) was given three life sentences in November 2003 for killing women to "satisfy his depraved and perverted needs".

Almost ten years on, the case returned to court following changes in the law on setting the minimum period a lifer must serve before being considered for parole.

Mr Justice Keith, sitting in London, said: "I have decided that Hardy should never be released from prison.

"This is one of those exceptionally rare cases in which life should mean life."

The judge, who presided over Hardy's trial, then made a "whole life" order.

Now aged 58, Hardy was released from a psychiatric hospital just weeks before he dismembered two of his victims, leaving their body parts in bin bags near his home in Royal College Street, Camden, north London.

Nine months earlier officers had discovered the body of another woman in his flat, but her death had been put down to natural causes.

Hardy pleaded guilty at his Old Bailey trial in November 2003 to murdering Sally White, 31, Elizabeth Valad, 29 (right), and Brigitte MacLennan, 34 (above right).

He had previously denied their murders but changed his plea within minutes of appearing in dock.

Giving him three life sentences, Mr Justice Keith told him: "Only you know for sure how your victims met their deaths but the unspeakable indignities to which you subjected the bodies of your last two

victims in order to satisfy your depraved and perverted needs are in no doubt."

No minimum term tariff was set at the time as changes being made to the law following a European court ruling meant that the Home Secretary could no longer decide them.

Hardy's case joined a list of about 700 that had to go back to court for judges - preferably the trial judges - to set the tariffs.

Today Mr Justice Keith echoed the remarks he made when sentencing as he ruled that Hardy must never be released.

The judge said: "The fact is Hardy killed, and killed again, his last two victims at a time when he must have thought that he had 'got away with' the murder of his first.

"These were truly horrific crimes, made even worse by the indignities to which he subjected the bodies of his last two victims after their death."

The judge revealed that, at the end of Hardy's trial, he had recommended to the then Home Secretary under the old tariff system that "there was no minimum term which could properly be set".

But changes to the law on tariffs were introduced before the Home Secretary could notify Hardy on whether or not he had accepted that recommendation.

The judge said the crimes of Hardy, who is now held at Broadmoor top security hospital, "were such that they received a good deal of publicity".

A university graduate, he had worked for a number of years before being made redundant in the 1980s, separating from his wife and four children in 1986.

"Thereafter, his life went into decline. There were periods during which he received psychiatric treatment for a depressive condition as an in-patient at various psychiatric hospitals and, by the time when he killed the first of his three victims, he was an alcoholic, living alone in a flat in Camden Town." The naked body of his first victim was found in his flat on January 20 2002 by the police, who were investigating the squirting through a neighbour's letterbox of what subsequently turned out to be battery fluid.

Hardy declined to answer any of the questions put to him about the woman, who was later identified as Sally White, a local prostitute.

The post-mortem examination on her did not produce any positive evidence as to how she had died, but the pathologist concluded that such evidence as there was suggested she had died from a heart attack.

"In the circumstances, no further action was taken against Hardy at the time in respect of Sally White's death."

In March 2002, Hardy pleaded guilty to an offence of racially aggravated criminal damage related to

the damage done to his neighbour's door.

He was sectioned under the Mental Health Act 1983, but was discharged from hospital on November 4 2002.

The following month, on December 30-31, body parts of two women were found at his flat and in dustbins in the vicinity.

"The heads and hands, as well as other body parts, were missing and were never found."

The judge said that, after going missing for a few days, Hardy was arrested following a nationwide search for him.

The body parts were eventually identified as those of local prostitutes Elizabeth Valad and Bridgette MacLennan.

Post-mortem examinations revealed that their bodies had been dismembered after death. The absence of the head and the upper part of the neck made it difficult to establish the precise cause of death, but there was evidence consistent with strangulation.

Ms Valad was last known to be alive on December 19. Hardy told police that Ms MacLennan had died on Christmas Day.

Following Hardy's arrest, the police developed some negatives from a film which Hardy had sent by post to a friend, telling him to keep them "at all costs".

The photographs showed the bodies of Ms Valad and Ms MacLennan pictured naked, after death, in a variety of sexual positions.

"The faces of both women had been concealed either with a latex devil's mask or a baseball cap." The judge said Hardy may not have intended to kill Ms White, "but I could not accept that he had not intended to kill his last two victims".

Although they may have consented to having sex with him, "I do not believe that they would have consented to the sadistic form of sexual activity which resulted in their death". Psychiatric reports on Hardy revealed a personality disorder which constituted an abnormality of the mind.

"However, by his pleas of guilty, Hardy accepted that his abnormality of mind had not been such as to impair substantially his mental responsibility for what he had done."

Since being sentenced, Hardy has been transferred to Broadmoor Hospital under the Mental Health Act 1983.

He had been diagnosed as suffering from a "schizo-affective disorder".

Although his mental state had improved by the time his detention had been reviewed by the Mental Health Review Tribunal in March 2008, he was said to be psychotic and apathetic, lacking in motivation, and with a tendency to isolate himself.

He continued to experience what were described as



"delusional interpretations of 'his world'", and he was said to have predicted his own death.

The judge said he had to decide whether he could set a tariff for Hardy which would meet "the requirements of retribution and deterrence".

He ruled that Hardy's case "unquestionably" came within the range of a whole-life tariff.

"Indeed, this case is one of the utmost gravity, in which, exceptionally, Hardy's early acceptance of responsibility for his victims' death, his personality disorder at the time, his eventual pleas of guilty and such remorse as he expressed through his counsel carry little weight.

"The fact is that Hardy killed, and killed again, his last two victims at a time when he must have thought that he had 'got away with' the murder of his first.

"These were truly horrific crimes, made even worse by the indignities to which he subjected the bodies of his last two victims after their death."



Cops Failed to Submit DNA



Dame Anne Owers

A police force in east London failed to submit DNA samples, including those linked to violent crime, rape and a murder, to the national database, a report has revealed.

It was "unclear" why the small number of samples linked to more serious offences were not properly

processed, said the joint investigation by Dame Anne Owers, Chief Inspector of Prisons, and Denis O'Connor, Chief Inspector of Constabulary.

Their inspection visit to police custody units in Hackney revealed designated detention officers (DDOs) who permanently staff both suites "operated an effective and efficient system of processing detainee DNA samples in custody fridges and freezers".

But their report also stated: "A freezer and fridge in the CID general office at Shoreditch needed samples and exhibits to be reviewed. There was only a small number of these, but they were linked to more serious offences.

"Some PACE (Police and Criminal Evidence), evidential and volunteer DNA samples had not been

submitted to the national DNA database (NDNADB) or processed accordingly and the reason for this was unclear. The samples included some linked to violent crimes, rape and homicide, although the homicide sample appeared to have been taken and dealt with by an investigation squad not based in the borough." The freezer at Stoke Newington also contained DNA samples taken in February, June, July and November last year that had not been sent to the NDNADB or disposed of.

Other areas of concern raised by the inspection included a "limited awareness" among custody staff for the needs of juveniles and women, and a number of potential ligature points.

The chief inspectors said: "This inspection of custody suites in Hackney identified some good practice, but

also a number of areas for improvement. In particular, staff need to be properly trained for their tasks, not least to ensure appropriate recognition of the needs of the diverse range of detainees who pass through the suites."

A Metropolitan Police Service spokesman said: "In what was an overall positive report into custody suites on Hackney borough, the HMIC raised some concerns about the retention of a small number of DNA samples.

"The HMIC did not make any specific recommendations and we are satisfied that no investigation was compromised; however Hackney borough acknowledge the comments and has, as a result, reviewed its supervision of the DNA-retention process."

POA Accused of 'Outrageous Blackmail' after 'Staff Can Sleep on Duty' claim!



The Prison Officers Association have been accused of 'outrageous blackmail' after claiming that they saw nothing wrong with staff sleeping when they were supposed to be on duty.

The claim came when Northern Ireland Prisons Chief, Robin Masefield, gave evidence to the NI Justice Committee. He also revealed that Prison officers in Northern Ireland were forced to wear body armour to protect against the dissident republican threat.

The danger from the gunmen has increased and individual officers have been threatened, head of the Prison Service Robin Masefield said.

Some officers even have protection built into their homes.

The director revealed the information when giving evidence to Stormont's new justice committee.

"There are a number of steps we have already proactively taken in liaison with the police so, for example, we have issued some external body protection for staff," he said. "There are one or two practical measures for staff who might be perceived to be at risk or might perceive themselves to be at risk, we are prioritising those."

"We are liaising with staff associations on that and we are liaising closely with police in particular to make sure that we are alert to and aware of any generic and particular threats as they might arise." He said the threat level against prison staff was "moderate" but not as high as against police.

"We are conscious of an increased threat level, yes, and there was an increased number of warnings, principally but not always exclusively in relation to

dissidents," he added. The danger to the organisation as a whole is substantial, he said. Following the industrial dispute between management and warders Mr Masefield added all was still not right.

"The challenge that we have is that they are coming from very much a security background and an emphasis on those issues. We want to move towards the engagement with prisoners... the factors dealing with offending behaviour," he said. He described it as an "insular" organisation where sometimes policy did not translate into delivery.

The service has to make £2 million savings this year and - because most of the running costs involved staff - that would inevitably impact on them, he said. There is a low level of retirement from the force which hampers his ability to cut costs.

Justice Committee member Raymond McCartney expressed concern about disciplinary procedures following the death of Colin Bell, 34, who hanged himself at the fourth attempt in Maghaberry in 2008. The authorities and Prison Officers' Association (POA) agreed to establish a panel to deal with such cases after some warders were found to be lying in bed watching television when they were supposed to be on duty.

"I can't see any other circumstance where people would be looking to have some sort of panel to implement decisions which are obvious and to my mind this is back to this point about strategy and policy not being brought through to delivery," he said.

"You can have your strategy and policy but if the POA say it is not a good strategy and not a good policy then it is not delivered and that is the practice we have seen since the death of Colin Bell."

"The POA did not agree that it was wrong that people were found sleeping on duty so therefore now they are being obstructive in terms of whatever changes have been made." SDLP member Alban Maginness said it was "outrageous blackmail" by the POA. Mr Masefield said management did not comply with parts of the code of conduct but it was important staff faced fair disciplinary proceedings.

'Stop Jailing Women'

A national charity that supports women offenders and ex-offenders has called on the coalition Government to stop locking up women unnecessarily.

Women in Prison, a charity that works to assist vulnerable women being put behind bars, has urged Prime Minister David Cameron and Deputy Prime Minister Nick Clegg to protect women falling into the criminal justice system, and reduce the women prison population.

Through its Supporting Women Against Prison campaign, the charity has also called for a minister to be appointed to represent women in the criminal justice system, and to ensure progress continues to be made following the Corston Report in 2007.

The report, by Baroness Corston, called for a "radical change in the way we treat women throughout the whole of the criminal justice system". Rachel Halford, acting director of Women In Prison, said: "There is cross party support for the recommendations of the Corston Report and this must provide a strong foundation for the work that is urgently needed to reform our criminal justice system. This system sets women up to fail because it is designed for men."

"Progress has been made under the previous Government. Failure to build upon this would send a clear message to a large group of vulnerable women that the government does not care about them and their families."

A petition, which was launched in March as part of the campaign, and already has more than 500 names,

Women in Prison Supporting and campaigning for women offenders and ex-offenders

non-criminal actions through the use of Anti-Social Behaviour Orders, and ensuring the rights of children are considered in remand and sentencing decisions.

Women in Prison, which was founded in 1983, provides specialist services to women offenders in prison and in communities across the UK. This includes providing advice on housing, education, mental health, legal rights, work, and benefits.

To find out more information on the work of the charity, visit www.womeninprison.org.uk or write to them at:

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Corrupt Essex Cop Jailed



in Essex in January 2006.

But Essex Police and Sloan were unaware that Taylor was the man behind the attacks, they simply wanted information from him as to who was responsible. The officers whose homes were firebombed, and their families, were at home at the time, but no one was injured.

Sentencing Sloan to two years in jail, the judge told him: "I bear very much in

A corrupt detective from Colchester who tried to help a dangerous arsonist escape prosecution was jailed for two years.

Bob Sloan (above), who resigned from Essex Police in 2008 after 30 years, was so arrogant he ignored the rules for his own benefit, judge James Wadsworth QC said.

Sloan, 52, used his position as a police officer with a good reputation to aid an important criminal in a bid to help his own case in internal disciplinary matters, the judge said.

"I'm entirely satisfied that for a police officer to deliberately break to rules, largely for his own purpose, is corrupt in any sense," he said. "The damage that you have done to the services of justice and to your own force is quite substantial." Sloan attempted to help his informant Wayne Taylor get off a charge of handling stolen vehicles, the court was told.

Sloan told the court that he developed a relationship with Taylor in the 1990's when he used to be his handler and Taylor was a police informant. He said that he re-established contact with Taylor following the fire-bombing of two senior police officers' homes

mind your good character and your 28 years of police service. You used your time as a police officer and the reputation that you built up in order to create a situation that depended on your good character and the position that you held."

He went on: "Although regulations had been brought in for the public good you thought they didn't apply to you as you were an old-fashioned officer who could ignore all the rules as your pleased.

Sloan, who wore a suit in the dock, blew a kiss to his wife and friends in the public gallery as he was sent down.

He gave information and advice to Taylor - who later pleaded guilty to handling stolen goods - at the time the officer was facing a separate internal disciplinary inquiry for developing an inappropriate relationship with him.

Taylor was convicted of two counts of arson at the Old Bailey in November last year and sentenced to 18 years in prison. Sloan, of Villa Road, Stanway, Colchester, was found guilty of doing acts tending to and intended to pervert the course of justice between January 30 and March 1, 2008.

Army Officer in Jail Release Plea



The family of a former British Army officer from Leeds, who was jailed in Afghanistan for bribery, have insisted that he was innocent and appealed for his release.

Bill Shaw was working for G4S, a British security group which provides protection for diplomatic personnel, when he was arrested over a £13,000

payment for the release of two impounded armoured vehicles belonging to the company.

Mr Shaw, who served for 28 years with the Royal Military Police and was awarded an MBE, claims the payment was a fine but officials reportedly disappeared with the money. He is serving a two-year sentence in a Kabul prison after being prosecuted by an anti-corruption tribunal.

His family insist he has done nothing wrong and have launched a campaign for his release. Speaking on GMTV, his daughter, Lisa Luckyn-Malone, said: "He is completely straight. If he went

into a shop and they gave him too much change he would return it. It is just not in his character at all."

His wife, Liz, said he thought he was making an official payment. She said: "That is the policy there. The vehicles were taken on several occasions and to get them back you have to pay a release fee, and that is what he did. He was a company rep and he went and did what he thought he had to do."

She said her husband had co-operated with the Afghan authorities, believing they were conducting an investigation into the payments for impounded vehicles. "He believed that the inquiry was into the fact that they were having to pay this release fee continuously to get their vehicles back. He co-operated and eventually they turned the attention on him and said he was the one who was the guilty person," she said.

A spokesman for G4S said: "We continue to believe the charges against both Bill Shaw and Maiwand Limar were totally misconceived, not proven in court, and we stand fully behind their innocence.

"We strongly disagree with the verdict and maintain that both men behaved in an open and fully transparent fashion. We expect an appeal to be lodged shortly."

Cross Dressing OAP Avoids Jail After ABSO Breach!



of his Asbo by causing both Mr and Mrs Copping harassment, alarm and distress.

But Trigger told the court he had been picking up debris in his garden and on the pavement, caused by constant vandalism to his home.

The 60-year-old, who is a 24-hour carer for his mother, 90, said finding a time to get out of the house was difficult and he liked to take exercise early in the morning, also clearing his garden.

He said: "There's no reason for me to want to upset those people, I don't know them.

"I don't like harassing people, nor would I do so."

A man banned from wearing skirts at certain times has avoided jail for breaching his Asbo by deliberately bending over in front of his neighbours. Peter Trigger was banned from wearing a skirt or showing bare legs on a school day between 8.30am and 10am and 2.45pm and 4pm.

The order, handed to him in December 2008, also banned him from behaving in a manner which causes or is likely to cause harassment, alarm or distress to others.

But magistrates in Northampton Magistrates' Court found Trigger guilty of breaching the Asbo by deliberately bending over in front of his neighbours early in the morning on December 16 last year, causing them harassment, alarm and distress.

Trigger was given the Asbo, which runs until 2013, in December 2008 after parents complained he was waiting near a primary school in the town dressed in clothes similar to school uniform - a grey skirt and jumper, white shirt, baseball cap and tie.

Northampton Magistrates' Court today heard he was seen outside his house in Farndon Close, Northampton, at 7.25am on December 16 last year by neighbours Philip and Mary Copping.

They told the court Trigger, who was wearing a skirt over trousers, deliberately bent down three times in front of the van, until they drove off.

Mr Copping said: "I closed the door, started the engine, let it tick over, and then saw him bent over. "He is in front of the van on the driver's side and then he bends over to make out he is doing his shoelace up or whatever.

"We're sat there waiting for the van to warm up, he stands up, then bends over again."

His wife Mary said: "He was doing something with his shoelaces, undoing them and then tying them up, he does it for about three times until we actually go.

"I was quite upset about it, it's not very nice to see. I think he does it to wind my husband up."

Prosecutor Jerena Tomaszewska said that, although Trigger was permitted to wear a skirt at that time of day, he had breached the second part

But the court heard from his neighbour Richard Turner, who said the wall had fallen down long before the incident, and that the area was extremely clean.

Magistrates today found Trigger - who wore trousers, a shirt, jumper and scarf to court - guilty of breaching his Asbo, but agreed not to activate a previous suspended sentence for exposure, sparing him a custodial sentence.

Chairman of the bench Chris Musson said: "We were of the opinion that your action in standing in front of the van and bending over two or three times was deliberate.

"Mr and Mrs Copping were upset by this and it caused them distress.

"You Mr Trigger have the human right to dress as you wish but your actions must not cause harassment, alarm or distress and there is a causal link between your actions bending down in front of the van and that distress that was caused."

She said they would not activate a 12-week suspended sentence from last year for exposure, instead making it more onerous.

"As we have said we feel it would be unjust to activate this suspended sentence because this breach itself would not warrant a prison sentence and you are the full carer for your aged mother.

"We are not going to send you to prison today and you are quite fortunate in that."

Trigger has to attend sex offenders' group work and is on the sex offenders register for seven years.

He also is under supervision for 24 months.

Magistrates also imposed a 12-week curfew from 7am to 9am.

Trigger was also fined £100 and ordered to pay £300 court costs and a £15 victim surcharge.

The court heard he had previously been excluded from sex offenders group work sessions, despite attending 60 out of 61 probation appointments, because of his attitude.

But the 60-year-old today told magistrates: "My fundamental attitude is that I did not do the crime that I was convicted of and I did not expose myself."

Fugitive Found Guilty of 2003 Armed Van Breakout



A fugitive who went on the run for six years after a prison van ambush has been found guilty of possession of a firearm and wounding during his escape.

Noel Cunningham, 48, fled in June 2003 after two armed men - one dressed as a postman the other wearing a balaclava - shot a driver and forced guards to open the cells of a vehicle transporting prisoners to Inner London Crown Court. But at Woolwich Crown Court in east London, a jury found Cunningham guilty of having a firearm with intent to commit an indictable offence, possession of a firearm with intent to cause fear or violence and

wounding with intent to resist lawful apprehension. Cunningham has previously pleaded guilty to a charge of conspiracy to steal.

Cunningham, the suspect in an attempted £1 million security van heist, previously told Woolwich Crown Court that he did not know either of the assailants or of any plan to ambush the van.

But he said he used the opportunity to escape because he wanted his freedom.

Mark Gadsden, prosecuting, had told the court that at the time of the 2003 Inner London Crown Court hearing, Cunningham and another man - Clifford Hobbs - were facing charges of conspiracy to rob over the failed security van raid.

He said: "They never arrived at court because the prison van in which they were travelling was intercepted by armed men and they were 'broken out'.

"During the course of that armed intervention a prison guard was shot in the leg in the area of his knees."

He had told the jury that the "essence" of the case was whether the Crown "proved that this defendant was party to a plan whereby guns would be carried by those who ambushed the van in order to effect their release".

According to Mr Gadsden, firearms would have been necessary to force prison security staff to let the prisoners out of the highly secure vehicle.

"It was a sophisticated conspiracy that involved a lot of planning and careful thought," Mr Gadsden said. "We say that the joint enterprise that existed in June of that year to use guns to get Noel Cunningham and Clifford Hobbs out of lawful custody was a planned, well thought out and well executed joint enterprise."

The court heard Cunningham and Hobbs, were



caught "red-handed" in the failed raid on a cash transit van in March 2003.

Mr Gadsden said the plan involved the use of a stolen BMW fitted with false number plates registered to the City of London Police in order to prevent suspicion when parked near the cash van. This was the "perfect vehicle", he said, because if police noticed "two burly men" inside, as soon as they checked the plates they would see the registration details and assume it was a police operation.

Cunningham was the driver while Hobbs wore a black jacket with a Securicor logo and put on a black helmet as he approached the back of the van in Effra Road, Brixton, the court heard.

An "inside man" left the door so it could be opened, Mr Gadsden told the jury.

But the alarm went off and the two men ran away before being caught and arrested by police.

If they had succeeded, the "prize" would have been £900,000 in cash in the van plus cheques bringing the total value to around £1m, Mr Gadsden said.

Cunningham will be sentenced at Woolwich Crown Court on June 4.

Ear-ly Release?

A prisoner cut off part of his ear so he could escape from an ambulance on the way to hospital, Greater Manchester Police have said. Michael O'Donnell, 28, told staff at Forest Bank prison that he had been injured in his cell.

An ambulance was called to take him to Hope Hospital, in Manchester, but on the way four masked men pulled up in a stolen BMW. They smashed the ambulance windows with baseball bats and bolt-cutters and O'Donnell, who was escorted by three prison guards, escaped.

He was handcuffed to one officer, who released him during the ambush. O'Donnell was waiting to be sentenced for conspiracy to rob and commit burglary. Assistant Chief Constable Ian Hopkins appealed to the public for help in finding him.

He said: "This was a terrifying attack on an ambulance and, though nobody was physically harmed, it certainly left the people who were looking after O'Donnell at that time feeling frightened."

"O'Donnell had been warned by a judge that he was facing a long prison sentence. He needs to be caught and put back where he belongs."

Police said the public should not approach O'Donnell, who is white, 6ft and has short, fair hair. He has links to Stockport and south Manchester, and possibly the travelling community.

Queen's Insider-Dealing Stockbroker Ordered to Pay £500,000



A former partner at the Queen's stockbrokers who was jailed for insider dealing has been ordered by a judge to pay more than half a million pounds in confiscation and costs.

Malcolm Calvert, who

retired from the investment bank Cazenove 10 years ago, was jailed for 21 months after he used an unknown insider to get confidential information on a series of proposed takeovers and mergers.

He then directed his friend Bertie Hatcher to buy shares in three firms, making the pair more than £100,000 in profit, Southwark Crown Court in London heard. Two-thirds of this went to Calvert, 65, with one-third going to Mr Hatcher, the court heard. In a hearing last month, Sarah Clarke, for the prosecution, said Calvert, whose net assets total £1.78 million, should be ordered to pay £473,955.05

in confiscation. This represented two-thirds of the gross sale price of the shares - £405,033.32, plus £68,921.73 in interest.

Judge Peter Testar ordered Calvert to pay the £473,955.05 in confiscation within six months or face a further three-and-a-half year sentence if he failed to pay the amount ordered.

He also ordered Calvert to pay £50,000 in costs within nine months - short of the original £482,908 prosecution costs applied for.

Giving his judgment, he said: "This is a case where the defendant did obtain property as a result of his offending. In that case the amount of his benefit is the value of the property obtained."

He added: "It should be said the case has been investigated very thoroughly and efficiently. The FSA decided to do a proper job and should be commended for that."

Judge Testar granted Calvert leave to appeal against the confiscation decision.

Calvert, who is appealing against both his conviction and sentence while serving time at Ford open prison in West Sussex, used confidential information to tell Mr Hatcher to buy shares in three companies, making the pair a gross profit of £103,883.11.

These purchases included 70,000 shares in pharmaceutical company Vernalis, 50,000 shares in road construction firm Johnston Group Plc and 30,500 shares in water firm South Staffordshire Plc

between June 24 2003 and October 18 2005.

But Calvert, of Fairmile Lane, Cobham, Surrey, was cleared of the seven other counts which related to a further three companies - cider makers HP Bulmer, Scotland-based Macdonald Hotels and motoring organisation the RAC.

Date Set For 'Yorkshire Ripper' Review

Peter Sutcliffe, the Yorkshire Ripper, who also murdered women from Greater Manchester, will have his plea not to have to spend the rest of his life behind bars considered by the courts this summer. The serial killer's application to have a tariff set which could lead to parole is due to be heard at the High Court in London on July 16, it has been revealed.

Now known as Peter Coonan, the 63-year-old former lorry driver from Bradford was convicted at the Old Bailey in London in 1981.

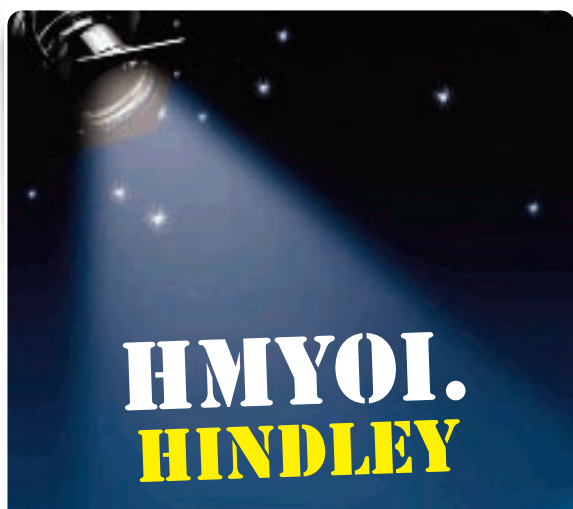
He received 20 life terms for the murder of 13 women and the attempted murder of seven others in Yorkshire and Greater Manchester and a judge

recommended that he serve a minimum of 30 years behind bars. His name was not on a Home Office list, published in 2006, of 35 murderers serving "whole life" sentences and he was given no formal minimum sentence.

He is currently being held in Broadmoor top security psychiatric hospital after being transferred from prison in 1984 suffering from paranoid schizophrenia.

Dr Kevin Murray, the psychiatrist who has been in charge of Sutcliffe's care since 2001, said in a 2006 report that he now posed a "low risk of reoffending". It was on July 5, 1975, just 11 months after his marriage, that he took a hammer and made his first attack on a woman as he believed he was on a "mission from God" to kill prostitutes - although not all of his victims were sex workers - and was dubbed the Yorkshire Ripper because he mutilated their bodies using a hammer, a sharpened screw driver and a knife.

He has spent nearly all of his years in custody at Broadmoor after being diagnosed as mentally ill, but refused treatment until 1993 when the Mental Health Commission ruled it should be given forcibly. In setting his tariff, the High Court is expected to take account of the gravity of his crimes, whether or not he has made "exceptional" progress in custody, the state of his mental health and any representations from him, his victims or their families.



Spotlight on HMYOI HINDLEY

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Opened: 1961. Can: 538

Cat: CLOSED MALE. Insig: H1.Area: North West

BACKGROUND: Hindley is a 'closed' establishment with accommodation for 192 young people from the Greater Manchester, Lancashire and Liverpool areas. The establishment is located about 4 miles south east of Wigan – midway between Manchester and Liverpool. It has had a number of roles in its history, beginning as a borstal in 1960, then a youth custody centre, a remand and allocation centre and, lately, re-designated as a YOI. The establishment first received young people (under 18's) in July 2001. Up to March 2009 Hindley was a 'split' site accommodating both Juveniles (15-17 year olds) and Young Offenders (18-21 year olds). In April 2009 Hindley became a 'single site' establishment for 15 – 17 year olds on remand, convicted and sentenced.

KEY OFFICIALS:

Regional Custodial Manager: Alan Scott

Governing Governor: Ray Hill

Deputy Governor: Natalie McKee

Head of Learning & Skills: Peter Barry

Clinical Manager: Karen Morley

IMB Chair: John Tapp

MP: Yvonne Fovargue (L)

Keyword Department

Head of Unit – Currently Vacant

Tel 01942 663232. Fax 01942 663283

Key Linkages: Youth Justice Board; Women and Young Peoples Group (HM Prison Service).

REGIME: Week Days: 0725 Unlock, Breakfast, Showers and exercise for young people. 09.00 – 11.45 Activities. 12.00 Lunch. 1330 – 16.15

Activities. 16.35 – 1720 Tea Meal. 1800 – 20.20 evening Association, Gym and Youth Club activities. 20.30 Lock Up

ACCOMMODATION AND FACILITIES:

There are four identical wings Alder, Beech, Cedar and Dove wings built in 1961 each has 3 ground floor association areas, dining rooms, offices, and external exercise yard each wing has been re furbished since 2006 on a works rolling programme. Elm & Fir are 2 blocks that were added in 1996 each refurbished with 4 association areas, dining areas and offices each also has the facility of an external exercise yard. Juniper Wing opened in Dec 2007 and is now a dedicated First Night Centre it has accommodation for up to 40 young people and has 2 association areas; each room has en-suite facilities. Willow unit opened in Dec 2009 and is a dedicated unit that is specifically for young people with complex needs, it has two sides one dedicated to community living and one dedicated to intensive support. Willow has been refurbished and has 11 rooms, 2 healthcare rooms, 2 classrooms and its own fitness suite. In March 2009 the casework dept was implemented bringing together YPSMS, YOT, Interventions with DTO and sentence planning. The department offers validated programmes to all young people at Hindley with the full support of a Forensic Psychologist. All young people have access to in-cell television. with the exception of those on basic regime. A comprehensive Incentives and Earned Privileges scheme is in operation specifically designed for young people which rewards positive behavior and challenges negative behavior through sanctions.

PRISON SHOP: Contracted out to DHL. A canteen bagging system is used that delivers purchases to the wings. This also supports the anti bullying strategy.

VISITS: The visits hall has been re furbished to a high standard and focuses on family engagement. How to get there: By train to Wigan then bus (658) from Wigan Bus Station to Gibson Street. There is no special transport. Visiting Times: Domestic Visits - Monday to Friday 14.00 – 16.00pm, Saturday and Sunday AM 09.30-11.30am. Professional Visits – Monday to Friday AM and PM.

Note: Booking line for all visits – 01942 663492.

Visiting orders now required for all domestic visits. Legal Visits can be booked via e mail.

LEARNING & SKILLS: We offer accredited learning opportunities for all young people in the establishment. The main provider is The Manchester College which works in partnership to provide professional teaching to young people. The learning and skills centres are open 5 days per week, throughout the year. The current curriculum ranges from basic literacy/numeracy to GCSE courses. Vocational training centres provide training in Fitted Interiors, Bricklaying, Plastering, Fork Lift Truck Driving, Warehousing and Multi-Skills. There is good ICT provision, including the use of interactive whiteboards. In addition the establishment provides accredited courses in Recycling, Farms & Gardens, Laundry, Painting & Decorating and Industrial Cleaning. We have 2 libraries to support the learning and skills programme.

GYMNASIUM & SPORTS: This is delivered by 12 trained staff. There is a gymnasium, sports hall, 2 fitness suites and weights room together with an all weather floodlight pitch and large sports field. Young People have accredited PE programmes as well as recreational PE.

HEALTHCARE: Healthcare services are commissioned by Ashton Leigh & Wigan PCT. There are Service Level Agreements in place which provides a 24 hour general nursing service is through Ashton, Leigh and Wigan Community Health Care, with additional support from GP's, Nurse Specialists and other Allied Health Professionals. Mental health services are provided by Greater Manchester West Mental Health Foundation Trust, which includes primary care mental health services, secondary care services and day care facilities in a purpose built day care unit.

FOOD: We operate a pre select menu system. Meals are multi choice, with a healthy eating option available for each meal. Diet options are available and options are provided for religious requirements.

CHAPLAINCY: Services: Friday PM Muslim service in dedicated Multi Faith room; Saturday AM 2 Roman Catholic Services; Sunday AM service for Church of England and other denominations. The chaplaincy team co-ordinate other groups including: Prison Visitors; Alpha course; Grain of Wheat (Christian instruction); Rosary course; Living with Loss course; Bible study discipleship; Pastoral support for young people and staff; Staff counseling; Family and young people focus group; Family Liaison Officer; Wigan Safeguarding group; Race Relations. Chaplaincy is fully integrated throughout the establishment and involved in Safer Regimes, Violence Reduction, Child Protection, Security, Suicide prevention, Public protection, Health and Safety and Reducing Reoffending with many links to the outside community. The team consists of: a Church of England priest, a Roman Catholic priest, a Free Church Minister, a Church of England Lay Reader, a Roman Catholic layperson, an Imam and an Ecumenical Chaplain – any of which could undertake the role of a Co-ordinating Chaplain.

ESTABLISHMENT REPORT. HMCIP May 2010. In April 2009, Hindley young offender institution was re-roled to a 440 bed children's establishment, making it the largest such facility in Western Europe.

The Youth Justice Board, which commissioned the re-role, asked this Inspectorate to undertake an early independent inspection at the six-month point to assess progress. Commendably, we found that a considerable distance had been

travelled towards establishing Hindley as a safe, decent and child-centred establishment, but more remained to be done and we identify a number of areas for further development.

Considerable effort had been expended to seek to ensure the safety of Hindley's challenging and volatile population.

Reception, first night and induction were all sound. However, it was disappointing that all new arrivals were still routinely strip-searched, despite the fact that the practice had been replaced by a risk-assessed approach elsewhere in the establishment and less intrusive options were available. Nevertheless, safeguarding arrangements were among the best and most innovative we have seen, with strong support from Wigan Social Services and sound child protection procedures.

It was, therefore, a pity that this progress was being put at risk by uncertainty over the future funding of the in-house social work team.

Support for young people at risk of suicide or self-arm was caring, but processes and paperwork required improvement.

There was a comprehensive violence reduction policy to address the significant problem of bullying, although implementation remained inconsistent. The approach to behaviour management also required further development, but there were some good initiatives to deal with gang issues and the small living units aided supervision.

Fights were still common and use of force by staff was high as a result, but it was rigorously monitored to learn lessons.

The segregation unit was dilapidated, but was due to be closed and replaced by an intensive support unit for young people with complex needs. Detoxification was well managed.

The environment was adequate and staff interacted well with young people.

The personal officer scheme was effective, with a particularly impressive model adopted for work with the youngest boys.

A more consistent approach was needed for the rewards and sanctions scheme. Race issues were well managed and work on learning disabilities was outstanding,

but other aspects of diversity required development. The chaplaincy offered a good service and healthcare was excellent.

Most young people spent plenty of time out of cell and had good access to a range of education and vocational training opportunities. Standards of teaching and achievements by young people were good, although too many were returned to their wings for poor behaviour and this needed to be better managed.

The library was popular and PE provision was well balanced.

The strategic management of resettlement was good, supported by effective multidisciplinary resettlement teams.

Training planning was generally sound and there were well advanced plans to introduce appropriate interventions informed by a comprehensive needs analysis. Public protection arrangements were thorough. Resettlement services were good, particularly work to maintain family ties, although there had been some reduction in substance misuse services.

It is a dubious achievement to have created Western Europe's largest children's prison. Nevertheless, Hindley is to be commended for having progressed so rapidly towards becoming an effective and appropriately child-centred establishment. Good, often innovative and multidisciplinary, efforts had been made to ensure the safety of these volatile young people.

Relationships between staff and young people were generally positive and some very good educational, vocational and resettlement provision had been put in place.

There is much still to be done to embed and build on these early achievements, but progress has been impressive.



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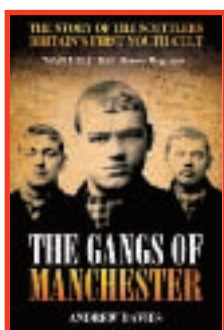
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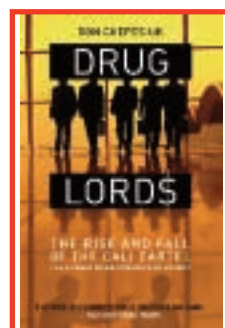
They wore peaked caps tilted to display their long fringes, flashy silk scarves, bell-bottomed trousers and brass-tipped clogs. But the scuttlers most prized possession was his thick leather belt, adorned with gang insignia and wrapped tight around his fist. The heavy brass buckle could shatter a man's skull.

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and Ordsall Lane and Hope Street waged guerrilla war in Salford, they terrified respectable citizens and defied the police and the law courts. And in the 1890s, the entire city held its breath as a handful of leading 'captains' fought for the coveted title of King of the Scuttlers.



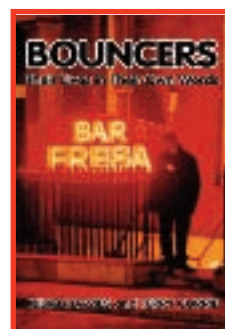
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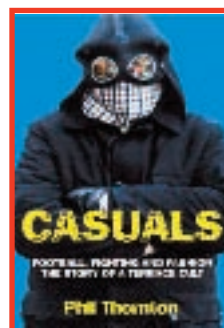
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They were known as scallies, Perry Boys, trendies and dressers. But the name that stuck was Casuals. And this grassroots phenomenon, largely ignored by the media, was to change the face of both British fashion and international style.

Casuals recounts how the working-class fascination with sharp dressing and sartorial one-upmanship crystallised the often bitter rivalries of the hooligan gangs and how their culture spread across the terraces, clubs and beyond. It is the definitive book

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His underlings called him the Cocky Watchman. His pursuers called him Target One.

This best-selling biography uncovers his meteoric rise from Toxteth mugger to 'the richest and most successful British criminal who has ever been caught.' It relates how the Liverpool mafia became the UK's foremost drug importers; tells how Warren survived gang warfare and how he corrupted toplevel police officers; unveils the inside story of the biggest UK law enforcement operation ever.

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Corrupt YOI Officer Gets **Four** Years

The Police and Prison Service have warned corrupt prison staff that they will be caught and brought to justice following the conviction of an officer who smuggled cannabis and mobile phones into HMYOI Lancaster Farms.

Lee Davies, 29, was jailed for four years after he admitted taking the contraband into Lancaster Farms Young Offenders Institution in Lancashire. His crimes were uncovered following a joint operation between the Lancaster-based young offenders institution and Lancashire Constabulary's Prison Intelligence Unit.

Davies, of West Street, Lancaster, was sentenced at Preston Crown Court for the offences committed last July.

Detective Sergeant Dan Onions of Lancashire's Prison Intelligence Unit said: "Lancashire Police is committed to working in partnership with our colleagues in HM Prison Service to proactively root out those responsible for corruption within the prison estate.

"The implications of such corrupt activities are far-reaching for each prison and can potentially result in the compromise of the good order and discipline of establishments. I hope it will serve as a warning to others considering engaging in similar activities." Steve Lawrence, governor of HMYOI Lancaster Farms, said: "The vast majority of our staff are honest and hard working, but one corrupt officer

can jeopardise the safety of the whole prison.

"We support a culture which values integrity above all and rejects corruption and dishonesty wherever it is found. We will take all necessary action to deal with anyone found to be participating in criminal or corrupt activity.

"This sentence reflects the seriousness of the offence and sends a clear message of the consequences of committing crimes while serving the public and the Prison Service."

Phil Wheatley, outgoing Director General of the Prison Service said:

"Bent staff are a menace and they are a real concern, but this case shows that we are catching an increasing number of them because of the

vigilance of their colleagues who will not tolerate bent staff among their ranks."

A report last year by David Blakey, a former Inspector of Constabulary and Chief Constable of West Mercia, on measures to disrupt the supply of drugs into prison created joint police and prison service intelligence units designed to capture prison staff who smuggle drugs and phones into prisons - so far this year more than six officers have already been jailed and more are currently awaiting trial.

The Blakey Report made 10 recommendations, ranging from suggestions to roll out mobile phone blocking technology to fostering the good work NOMS have been taking forward in intelligence. All of the recommendations were accepted by the government.

David Blakey said: "No one I spoke to in the course of my Review doubts that staff corruption is a live issue for the Service or that it constitutes a way of getting drugs into prisons. I was particularly impressed by the frank and realistic manner in which Governors spoke to me about this matter.

"I did not encounter the 'head in the sand' response that might have been the case in many organisations both now and in the past."

Blakey failed to recommend all prison staff should be subject to random drug testing - because of POA opposition - despite accepting it was a 'significant step forward in reducing prison drug supply:



Lancaster Farms Officer Lee Davies, Jailed for Four Years



"I did not make this a recommendation because there would need to be much negotiation and discussion before any implementation. However given the links between drugs and corruption a Prison Service which drug tested staff of all grades would be taking a significant further step towards demonstrating integrity."

Bent Top Cop Refused Leave to Appeal



Disgraced Scotland Yard Commander Ali Dizaei has been refused leave to appeal against his conviction for corruption.

A senior judge also ruled the 47-year-old former Metropolitan Police officer has no grounds to appeal against his four-year prison sentence. Prosecutors said the decision was made during an administrative hearing at the High Court last week.

A Crown Prosecution Service spokeswoman said: "We can confirm we have been advised he was refused leave to appeal against both

conviction and sentence."

Iranian-born Dizaei was jailed for perverting the course of justice at Southwark Crown Court in February.

The senior officer, who was responsible for 10 west London boroughs, was brought to justice over a petty row involving an Iraqi web designer.

A jury was told Dizaei threatened, assaulted, falsely arrested and attempted to frame the younger man who stood up to his bullying. Metropolitan Police Commissioner Sir Paul

Stephenson said his behaviour was "disgraceful" and Independent Police Complaints Commission boss Nick Hardwick branded him a "criminal in uniform".

Anti-corruption officers have reviewed dozens of cases supervised by Dizaei for possible corruption.

Dizaei has until July 14 to ask a panel of judges to reconsider against the decision made by a judge sitting alone.

No one at Dizaei's Manchester-based solicitors, Ralli, was available to comment.

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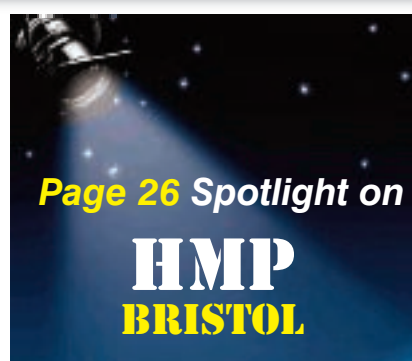
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Car Scam Met Cop Jailed

While her Prison Officer
boyfriend awaits his fate after
pleading guilty **Page 19**



Prison Staff Pay Frozen

Public sector workers, including over 35,000 Prison Officers and Governors, will have their pay frozen for two years Chancellor George Osborne has announced - only those prison officers in their first two years of service, and who currently earn between £18,135 (on joining) and £20,254 (after one year) will be exempt from the pay freeze - and even those will enjoy a pay increase of just £4.80 a week.

The Chancellor coupled the public spending cuts with moves to reduce spending on welfare, including the introduction of a medical assessment for Disability Living Allowance from 2013, freezing child benefit for the next three years, abolition of the health in pregnancy grant from next April and restriction of

the Sure Start maternity grant to the first child only. Lone parents will also be expected to look for work when their youngest child goes to school. The total welfare shake-up will save the country £11 billion by 2014/15, said the Government. Dave Prentis, general secretary of Unison accused the government of "declaring war" on public services, adding: "This is the most draconian budget in decades."

Unite joint general secretary, Derek Simpson said it was the biggest attack on essential services for a generation, adding: "Today the mask slipped to reveal this Government for what it is - Tory slashers of services and friends of the rich and powerful."

"Where is the promised fairness in cutting the wages of needy households yet fighting shy of closing the tax loopholes which allow the wealthy to dodge their duty to this country? Increasing VAT is reckless - it will stop people spending, harm UK business and choke off the recovery."

"This budget is vintage Thatcher. The Lib Dems have been conned into hammering the poor, choking off investment and cuts that risk plunging this country into a longer and deeper recession. If they do not disassociate themselves from this, then the Lib Dems will have to bear the responsibility."

The POA were unavailable for comment but are likely to join with other unions in attacking the pay freeze.

CORRECTION

In her article last month on categorisation "ABC: 'its not as simple as doe ray me'", Kirsty Rampling stated that females could be categorised 'semi-open', which was wrong. Semi-open categorisation for females was removed last year and we apologise for the inaccuracy and are grateful to Nicki Rensten at PAS for pointing this out.

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NEW PAROLE BOARD RULES

As we are all aware, the delays that currently exist within the Parole Board have a large impact upon those serving indeterminate sentences resulting in oral hearings not taking place when they are due.

The introduction of the Intensive Case Management ("ICM") system at the Parole Board, which was introduced in 2008, aimed to make the management of cases more efficient. To a certain extent this has succeeded in that when a dossier is complete, it is forwarded to the ICM Team for consideration and directions are issued which need to be complied with prior to an oral hearing. The aim of this was to try and reduce the amount of oral hearings that are deferred on the day of the hearing and creating a frustrating scenario for the prisoner and representative alike.

Oral hearings conducted by the Parole Board have increased by 73% between 2002 and 2007 and this has resulted in the delays to hearings been scheduled. It was estimated by the National Audit Office that only 32% of oral hearings were being held on time and the remainder were delayed.

One of the major changes contained within the amendment rules is the removal of the "automatic right" to an oral hearing if the initial consideration on the papers produces a negative outcome. If, for example, you were seeking release from custody at your tariff expiry and your paper decision comes back negative, you will need to request an oral hearing and you will need very good reasons as to why you believe that an oral hearing would significantly change the outcome of the paper review. Swain & Co therefore consider it advisable to submit written representations with your dossier for consideration at the paper review. However, once the dossier is disclosed to a prisoner it is then submitted to the Parole Board and it may be that if you require legal representation to assist with your representations, the time frame is very tight. It is therefore advisable to seek assistance as soon as your parole process commences so that your legal representative can notify the prison of the intention to submit representations on your behalf and, in theory, the dossier will then be sent to your representative once you have received it.

The submission of written representations for consideration at any paper review will allow for any discrepancies in the dossier to be addressed. When the Parole Board consider your dossier, they do so in line with directions from the Secretary of State. In assessing the level of risk to life and limb the Parole Board will consider the following information in respect of the release of life sentenced prisoners:

- The nature and circumstances of the offence, including any information provided in relation to its impact on the victim or its victim's family;
- The offender's background, including the nature, circumstances and pattern of any previous offending;
- Whether the prisoner has shown by his attitude and behaviour in custody that he is willing to address his offending behaviour by participating in programmes or activities designed to address his risk and has made positive effort and progress in doing so;
- Where available the sentencing Judge's comments and probation and medical reports prepared for the Parole Board;
- Any risk to other persons, including the victim, the victim's family, friends or the local community;
- Any available statistical indicators as to the likelihood of re-offending;
- Attitude and behaviour in custody including offences against prison discipline;
- Attitude to other inmates and positive contributions made to prison life;
- Remorse, insight into offending behaviour, attitude to the victim and steps taken, within

available resources, to achieve any treatment or training objectives set out in the sentence plan;

- Any medical, psychiatric or psychological considerations relevant to risk, particularly where there is a history of mental instability;

- A risk of violent or sexual offending is more serious than a risk of other types of offending; and

- Any other information, including representations by or on behalf of the offender which may have a bearing on a risk assessment.

The Parole Board are guided by the following:

- They must consider all the information before it.
- Consider each case on its merits, without discrimination on any grounds;
- Consider whether the lifers continued liberty would present an unacceptable risk of harm to other persons or be otherwise inconsistent with the general requirements and objectives of supervision in the community.
- In assessing the level of risk presented by a life licensee as part of the above consideration, the Parole Board must address the following factors:-

- the extent to which the licensee's continued liberty presents a risk of harm to a specific individual or individuals, or members of the public generally;
- the immediacy and level of such risk which the life licensee presents and the extent to which this is manageable in the community;
- the extent to which the licensee has failed previously to comply with licence conditions or the objectives of supervision, or is likely to do so in the future, and the effect of this on the immediacy and level of risk presented by the licensee;
- any similarity between the prisoner's behaviour and that which preceded the index offence.

Considering open conditions

When a life sentenced prisoner is being considered for a transfer to open conditions, the considerations given are based on a "balanced assessment of risk and benefits". Significant progress should have been made in addressing "attitudes and tackling behavioural problems in closed conditions" prior to any consideration being given for a transfer to open conditions.

The Parole Board in these cases consider:

- All the information that is before it.
- Each case on its own merits without discrimination on any grounds.

The following factors are taken into account when evaluating the risks of transfer against the benefits:

- the extent to which the lifer has made sufficient progress during sentence in addressing and reducing risk to a level consistent with protecting the public from harm, in circumstances where the lifer in open conditions would be in the community, unsupervised, on temporary release ;

- the extent to which the lifer is likely to comply with the conditions of any such form of temporary release;

- the extent to which the lifer is considered trustworthy enough not to abscond;

- the extent to which the lifer is likely to derive benefit from being able to address areas of concern and to be tested in a more realistic environment, such as to suggest that a transfer to open conditions is worthwhile at that stage.

In assessing risk in such matters, the Parole Board shall consider the following information, where relevant and where available, before recommending the lifers transfer to open conditions, recognising that the weight and relevance attached to particular information may vary according to the circumstances of each case:

- the lifer's background, including the nature, circumstances and pattern of any previous offending;
- the nature and circumstances of the index offence and the reasons for it, including any information provided in relation to its impact on the victim or victim's family;
- the trial judges sentencing comments or report to the Secretary of State, and any probation, medical, or other relevant reports or material prepared for the court;
- whether the lifer has made positive and successful efforts to address the attitudes and behavioural problems which led to the commission of the index offence;
- the nature of any offences against prison discipline committed by the lifer;
- the lifer's attitude and behaviour to other prisoners and staff;
- the category of security in which the lifer is held and any reasons or reports provided by the Prison Service for such categorisation, particularly in relation to those lifers held in Category A conditions of security;
- the lifers awareness of the impact of the index offence, particularly in relation to the victim or victim's family, and the extent of any demonstrable insight into his/her attitudes and behavioural problems and whether he/she has taken steps to reduce risk through the achievement of life sentence plan targets;
- any medical, psychiatric or psychological considerations (particularly if there is a history of mental instability);
- the lifer's response when placed in positions of trust, including any outside activities and any escorted absences from closed prisons;
- any indication of predicted risk as determined by a validated actuarial risk predictor model or any other structured assessment of the lifer's risk and treatment needs.

- any medical, psychiatric or psychological considerations (particularly if there is a history of mental instability);
- the lifer's response when placed in positions of trust, including any outside activities and any escorted absences from closed prisons;
- any indication of predicted risk as determined by a validated actuarial risk predictor model or any other structured assessment of the lifer's risk and treatment needs.

Swain & Co can obtain independent expert opinion on risk and medical issues. This can be crucial in dealing with complex arguments over the effectiveness or otherwise of courses and actuarial as opposed to clinical judgments. Before recommending transfer to open conditions, the

Parole Board shall also consider the lifers relationship with the Probation Service (in particular the supervising probation officer), and other outside support such as family and friends.

(Directions to the Parole Board under Section 32(6) of the Criminal Justice Act 1991 - Issued August 2004)

When the dossier is sent to the Parole Board, the Parole Board caseworkers are not supposed to hold the dossier up before sending it to the ICM Team for consideration, especially if the dossier is received after the target date. It is therefore essential that written representations are submitted at the earliest opportunity to enable a fair review of your dossier on the papers.

We have requested some prisons to forward the dossier in advance of it being submitted to the Parole Board to enable us to draft representations on clients' behalf, but the requests have been refused on the basis that they do not want to hold back dossiers, especially if they are already delayed. It is considered that the implementation of the new system does not allow sufficient time for representations to be prepared. It is possible that this reason could be used to request an oral hearing if, and only if, we believe that an oral hearing or representations would have made a significant difference to the outcome of the paper review.

If you are successful in obtaining an oral hearing following a negative paper decision, previously the panel would have consisted of three members. This has now changed and the panels are now referred to as an "oral panel" as it is not necessary now for three members to consider oral evidence. This should be seen in a positive light as it will free up the capacity of the Parole Board members to hold more oral hearings.

Following an oral hearing, it was usual practice for the outcome to be made available within 7 days of the hearing. This has now changed to 14 days. The complexity of drafting such decisions, which must include detailed reasons, and forwarding them to the relevant establishment was proven to be an unrealistic target within 7 days.

If you are seeking a transfer to open conditions or release at your next parole review, an oral hearing would be of great benefit as this allows you to demonstrate to the oral panel the progress that you have made. If you consider that not all information was available for the paper review, then this would be a good ground to request an oral hearing. For example, if you have completed an offending behaviour course but for some reason the post course report was not available at the time of the paper review but has been received since the decision, then this could have made a difference to the outcome of the paper review.

The decision following a paper hearing can be appealed but you only have four weeks (28 days) from the date of the letter which notifies you of the paper review outcome in which to lodge your appeal. Although the appeal will be considered it will not necessarily result in you obtaining an oral hearing.

It would therefore appear that the right to an oral hearing has been removed and you should therefore prepare fully for your paper review. By submitting written representations the Parole Board are able to consider your written evidence. If we request an oral hearing, Swain & Co would ensure that your reasons are detailed and explain why it is necessary to have an oral hearing and what it is likely to add to make a difference from the paper review.

Joanne Allan of Swain & Co who wrote this article says the law and process is complex. Swain & Co strongly advise that you instruct a solicitor at the earliest possible time. Swain & Co are specialists in prison law and offer a national service, you'll find all our contact details on the left.

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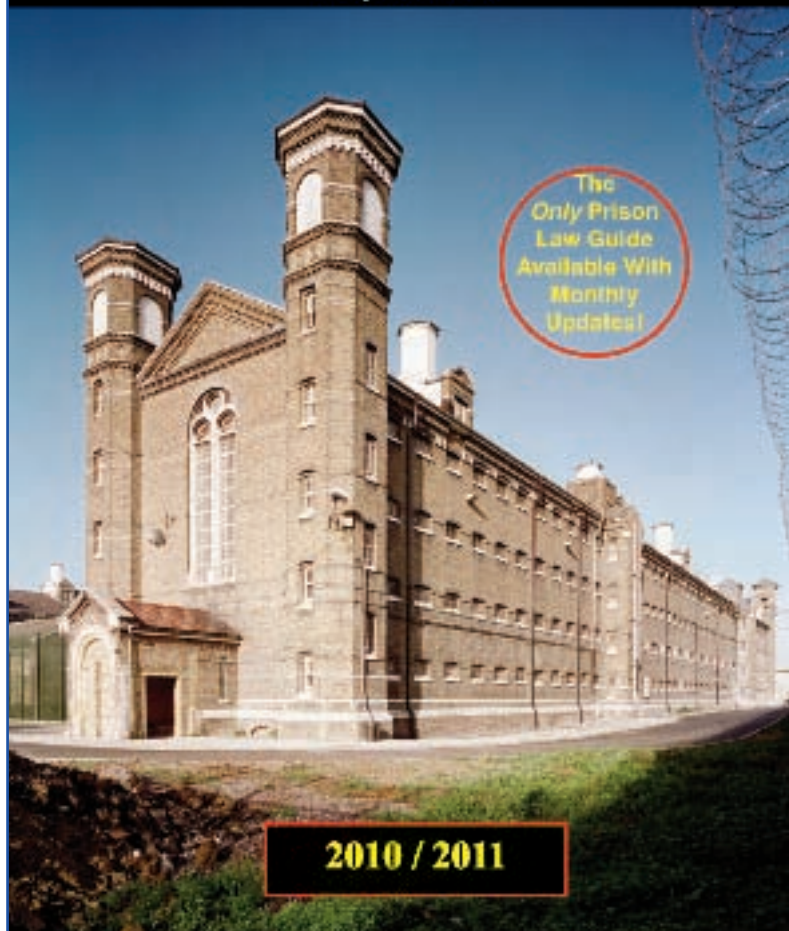
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Knife Crime Down by 25%



The number of offenders punished for carrying a knife has fallen by almost a quarter, according to new figures published this month. A total of 5,300 people were dealt with by police and the courts in the first quarter of this year, 22% less than the 6,800 in the same period last year. The change was most marked among young people where 1,000 offenders were punished, compared with 1,400 last year, a decrease of 30%. Meanwhile, the proportion of offenders receiving cautions fell from 25% to 21% as 1,100 crimes were dealt with in this manner. A similar proportion of criminals were jailed immediately (19%/1,000 offences), a slight fall on the 2009 figures. The Ministry of Justice figures apply to police

forces and courts in England and Wales between January 1 and March 31.

Tougher sentences were introduced for offences involving the possession of a knife in May 2008. Senior judges said magistrates should look to their toughest powers when dealing with knife carriers because of the high rate of such crimes. Adults caught holding a knife were told to expect a three-month prison sentence, although a guilty plea and other mitigation could lead to a lesser punishment.

The changes were made in response to a wave of knife crime and stabbings, particularly among young people in big cities.

The Government designated 16 forces including Essex, Manchester, Nottinghamshire and British Transport Police, as knife-crime action areas.

In London, police have continued to implement a crackdown using stop and search powers and metal detectors to drive knives off the streets.

They have seized more than 9,500 weapons, including swords, machetes and everyday kitchen knives, and arrested 18,000 suspects since May 2008.

In recent operations, police have begun using helicopters equipped with powerful cameras to monitor search sites.

A Ministry of Justice spokesman said: "We need to send a strong message to those who carry knives.

"People who commit knife crimes should expect tough sentences, including prison when necessary.

"We will conduct a full review of sentencing policy to ensure that it is effective in deterring crime, protecting the public, punishing offenders and cutting re-offending.

"Penalties for knife-related offences will be examined as part of that work."

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Muslim Prisoners: Experiences

ANNE OWERS: Outgoing Chief Inspector on her last Thematic Review



There are around 10,300 Muslims in prisons in England and Wales: a number that has been growing steadily over recent years. There has been considerable public focus on them as potential extremists and on prisons as the place where they may become radicalised, often through conversion – even though fewer than 1% are in prison because of terrorist-related offences.

This report looks at the actual experience and perceptions of Muslim prisoners – using prisoner surveys and inspection reports over a three-year period, and supplementing this with in-depth interviews with a representative sample of 164 Muslim men in eight prisons and interviews with the Muslim chaplains there. Muslims in prison are far from being a homogenous group. Some are birth Muslims, and others have converted. In prisoner surveys, 40% were Asian, 32% black, 11% white and 10% of mixed heritage.

One of their main grievances was, however, that staff tended to think of them as a group, rather than as individuals, and too often through the lens of extremism and terrorism – whether that was to prevent, or to detect, those issues. It was also evident that events and perceptions outside prison, in the public and the media, directly affected relationships inside prisons.

The headline finding, from surveys and interviews, is that Muslim prisoners report more negatively on their prison experience, and particularly their safety and their relationship with staff, than other prisoners – this is even more pronounced than the discrepancy between the reported experiences of black and minority ethnic prisoners compared to white prisoners.

The differential perception has slightly lessened over the last three years, but is still pronounced. On the positive side, Muslims were more likely than non-Muslims to report that their faith needs were met in prisons, reflecting the strengthening of the role of Muslim chaplains. Beneath those headlines, however, are some more complex findings.

Differential perceptions were widest in high security dispersal prisons, where the focus on security and extremism is sharpest. Three-quarters of Muslims had felt unsafe in these prisons, and this perception was strongly linked to mistrust of staff. In young offender institutions (YOIs), the differentials were less marked, and it was in one YOI that we found

the only example of a tailored programme to assist staff understanding and promote prisoner engagement.

Race and ethnicity were important factors in Muslim prisoners' negative experiences and perceptions. As in the prison population generally, white Muslims felt most positive, and black and mixed heritage Muslims least. Some of those interviewed focused on race as the determining factor in their treatment

and rehabilitative role that Islam played in their lives, and the calm that religious observance could induce in a stressed prison environment. This was in marked contrast to the suspicion that religious observance, and particularly conversion or reversion, tended to produce among staff. Converts did, however, have mixed motives, which could include perceived dietary benefits, or protection within a group. Muslim chaplains recognised the

support and training available to staff, outside briefings that related to violent extremism and radicalisation. Generic diversity training did not address the need. As a consequence, staff could either back off from confronting challenging behaviour, or challenge inappropriately.

It was also noticeable in the survey that fewer Muslim prisoners than non-Muslims knew where to get help with resettlement issues.

This report shows that, though prisons have come a considerable distance in meeting the religious needs of Muslims, they are not yet effectively managing a complex and multi-dimensional population.

There are two separate, and sometimes conflicting, approaches. The first, through the diversity lens, focuses on ensuring appropriate religious observance and identifying and preventing discrimination on grounds of religion. The second, through the lens of security, focuses solely on Muslims as potential or actual extremists. At present, the latter approach appears to be better resourced, better understood and more prevalent. It would be naïve to deny that there are, within the prison population, Muslims who hold radical extremist views, or who may be attracted to them for a variety of reasons. But that does not argue for a blanket security-led approach to Muslim prisoners in general.

It is essential that the National Offender Management Service develops a strategy, with support and training, for effective staff engagement with Muslims as individual prisoners with specific risks and needs, rather than as part of a separate and troubling group. Without that, there is a real risk of a self-fulfilling prophecy: that the prison experience will create or entrench alienation and disaffection, so that prisons release into the community young men who are more likely to offend, or even embrace extremism. **See 'End The Fetish of Faith' Page 8**



Muslim Prisoners at HMP Whitemoor

However, within each of the four ethnic groups, religion added a further clear layer of perceived disadvantage: Muslims in each ethnic group reported significantly less positively than non-Muslims.

This was less true for Asians than for other ethnic groups – and interviewees suggested that the others were not seen as 'proper' Muslims and treated with particular suspicion. Black and mixed heritage Muslims in general felt more alienated from staff.

Interviews showed that faith played a central role in Muslim prisoners' lives, much more so than establishments often recognised. In spite of much greater attention to and awareness of religious needs, Muslims and chaplains reported limited understanding of the importance of religious books, prayer time and even halal food.

Many Muslim prisoners also stressed the positive

need to provide particular support and teaching to a group that could be more easily misled, but lacked the time to do so. They also sometimes lacked the trust of alienated prisoners: a perverse consequence of chaplains' greater integration into prison life. A pervasive theme was the lack of

HM Chief Inspector of Prisons

**Muslim prisoners' experiences:
A thematic review**

June 2010

**Muslim Prisoners' Experiences:
A Thematic Review**

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Essex Child Sex Cop Jailed



An Essex Police constable who encouraged a 13-year-old girl to expose herself for him over a webcam has been jailed for 30 months.

Russell West, 26, told the schoolgirl he wanted to sleep with her, sent her an image of himself and tried to get her to pose for more explicit pictures.

West induced her to expose her chest and attempted to get her to show more of herself.

He admitted last month to having indecent conversations with the girl between October 2008 and April 2009. West, who has since resigned from the police, made no attempts to meet the girl, from Clackmannanshire.

Temporary judge Michael O'Grady imposed an extended sentence when first offender West appeared for sentencing at the High Court in Edinburgh on Monday.

He jailed West for two-and-a-half years and ordered him to be supervised for a further three years when released from prison.

The judge said: "In recent years the courts have

made it abundantly clear that offences of a sexual nature against children will be regarded as extremely serious and punished accordingly."

He said the offence took place over a fairly lengthy period and involved a "young and self-evidently vulnerable girl".

Thomas Ross, defending, said West was with Essex Police for almost six years, from 2003 until his arrest last year. The court heard he was involved in undercover work and received a commendation for helping in a major drugs case.

"He's a person who, on a daily basis, put his personal safety at risk for the good of the law-abiding community," said Mr Ross.

He added that West has had a "very uncomfortable time" in prison so far and has regularly faced the possibility of being attacked.

The judge backdated the sentence to October 19 last year, when West was first taken into custody. He has also been placed on the sex offenders' register.

Well, What Did Ya Know?

Last month we set you the following quiz, in case you missed here it is again - this time with the answers.

1. Name the one sport in which neither the spectators nor the participants know the score or the leader until the contest ends.
2. What famous North American landmark is constantly moving backward?
3. Of all vegetables, only two can live to produce on their own for several growing seasons. All other vegetables must be replanted every year. What are the only two perennial vegetables?
4. What fruit has its seeds on the outside?
5. In many off licences, you can buy Pear Brandy, with a real pear inside the bottle. The pear is whole and ripe, and the bottle is genuine; it hasn't been cut in any way. How did the pear get inside the bottle?
6. Only three words in standard English begin with the letters 'dw' and they are all common words. Name two of them.
7. There are 14 punctuation marks in English grammar. Can you name at least half of them?
8. Name the only vegetable or fruit that is never sold frozen, canned, processed, cooked, or in any other form except fresh.
9. Name 6 or more things that you can wear on your feet beginning with the letter 'S.'
10. Name one football team in the English or Scottish divisions that has one letter in its name that no other team has - name the team and the letter.

1... The one sport in which neither the spectators nor the participants know the score or the leader until the contest ends: Boxing.

2. North American landmark constantly moving backward: Niagara Falls.

(The rim is worn down about two and a half feet each year because of the millions of gallons of water that rush over it every minute.)

3. Only two vegetables that can live to produce on their own for several growing seasons: Asparagus and rhubarb.

4. The fruit with its seeds on the outside: Strawberry.

5. How did the pear get inside the brandy bottle? It grew inside the bottle.

The bottles are placed over pear buds when they are small, and are wired in place on the tree. The bottle is left in place for the entire growing season. When the pears are ripe, they are snipped off at the stems.

6. Three English words beginning with dw: Dwarf, dwell and dwindle...

7. Fourteen punctuation marks in English grammar: Period, comma, colon, semicolon, dash, hyphen, apostrophe, question mark, exclamation point, quotation mark, brackets, parenthesis, braces, and ellipses.

8. The only vegetable or fruit never sold frozen, canned, processed, cooked, or in any other form but fresh: Lettuce.

9. Six or more things you can wear on your feet beginning with 'S': Shoes, socks, sandals, sneakers, slippers, skis, skates, snowshoes, stockings, stilts.

10. The letter is 'J' and the team is St. Johnstone

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the 1 Pump Court page

Prison Law Barristers Working For You

Message from Stephen Field



May was a hectic month but also a very worthwhile one - The Prisons Handbook 2010 was published, in which I am the Editor of the Prison Law section - and in that month I also signed a contract with Prisons Org UK who publish the Prisons Handbook to publish **Prison Law Index**, a new book which I have written with prisoners very much in mind.

Prison Law Index, full details of which are on the back page of this edition, is a book that all prisoners should have access to - and I'm delighted that Mark Leech, Director of Prisons org uk, has agreed to sell the book to inmates at just £15.99 - with free delivery.

May was also of course the month of the General Election, not that any convicted prisoner of course got to vote in it - despite a ruling yonks ago from the European Court of Human Rights that denying all convicted prisoners of the right to vote was a breach of the Convention.

Many inmates have written to us about this, asking if there is anything they can do to ensure that their right to vote is respected. The courts have already ruled that it is for Parliament to change the law and not for the Courts to do so on their behalf, it is however shocking that the Government has ignored this issue for so long.



Eleanor



Greg



Joanne



Lucy



Sam



Shaun



Daniel



Terry

Message from the team

From speaking to you every day, we know that what you want is:

- Advice you can understand
- Experts in the law
- Fearless representation and defence of your rights
- Barristers who have your interests at heart

The 1 Pump Court Prison Law Team is committed to providing advice, assistance and representation - fighting for you from the smallest prison adjudication to challenging the Secretary of State in the highest courts in the land.

We are happy to work with your existing solicitor if you have one, or to recommend one if you don't. Many of the members of our team are able to accept instructions from prisoners directly without a solicitor in appropriate cases*.

We are easy to talk to and give no-nonsense advice. If you have a Prison Law issue, please fill in the questionnaire in the left hand column. By providing the information requested you can ensure that we can deal with your enquiries as quickly as possible.

We look forward to working with you. *Barristers who can accept instructions directly are: Stephen Field, Ajanta Kaza, Daniel Kingsley, Sam Parham, Rebecca Martin and Terry Pedro.

LATEST RESULTS

* R (on the application of O) v Secretary of State - Court of Appeal - Successful application for leave to challenge to the use of the 28 day recall scheme

* R (on the application of S) v Wood Green Crown Ct - High Court - Judicial Review of Crown Court refusal of bail - High Court ordered S's release.

* R (on the application of AL) v Governor HMP Norwich - High Court - Emergency Judicial Review and release on the Order of the High Court Judge of AL, an IPP Prisoner who prison refused to release following a direction by the Parole Board because of a petty disciplinary offence immediately before scheduled release day.

* R (on the application of RR) v Magistrates' Court - Court of Appeal - Successful application for leave to challenge the definition of theft.

* R (on the application of N) and R (on the application of P) v HMP Wakefield - Challenge to the Wakefield ID Card scheme.

IMPORTANT NOTICE ABOUT TELEPHONE CALLS TO CHAMBERS

If the Prison Law Team are doing their jobs properly, they are simply not available to take telephone calls from prisoners during normal working hours (which inevitably involve early starts, late finishes and travelling time). Whilst Fran Springfield (our dedicated Prison Law Team Coordinator) and the clerks (Ian, Sian, Mycal and Johnny) do their best, we do not have a huge administrative support structure within the Prison Law Team, and the phone lines are open on **Tues between 1pm to 5 p.m** during which time a rota will be in place to take essential calls.

Questionnaire

Direct Access - Potential New Instructions

Name: Prison No.

HMP

Do not worry if you do not complete all the questions fully, further instructions can be given in due course.

In your own words, what is the general nature of your complaint/query?

What do you realistically want to achieve in relation to your complaint/query (insofar as the law can assist)

Solicitor currently instructed in relation to this matter (if any) and/or your preferred solicitor if a solicitor also needs to be instructed:

Name of solicitor:

Address.....

Alternatively, I do not have a solicitor and would like you to suggest a solicitor should it be desirable to instruct a solicitor and barrister. I give my consent for you to speak with my past, current or future prospective solicitor about my case.

Signed

Date

Please complete this form and send it in an envelope clearly marked: **RULE 39: LEGAL CORRESPONDENCE** to Prison Law Team, 1 Pump Court Chambers, Temple, London EC4Y 7AB and we will reply forthwith. Only send us photocopied documents. NO ORIGINALS please.

1 Pump Court Chambers

1 Pump Court is a progressive barristers' chambers with a long and proud history of defending individuals, human rights, challenging the state and standing up for those who society may all too readily forget about. We are about working for ordinary people and always have been. With over 80 members of Chambers we have specialist teams in all the areas of law that concern serving or released prisoners or their families:

**Family and contact
Immigration
Human Rights
Housing and Homelessness
Community Care
Benefits Law**

All members of Chambers are happy to take instructions in their specialist areas from prisoners' solicitors. If you have a legal problem, the chances are we can help.

SPECIAL MESSAGE TO SOLICITORS

We are receiving a large number of queries from Prisoners with problems in Immigration matters, civil matters (including potential claims against prisons), medical negligence case, as well as housing/homelessness and community care cases. If any specialist Solicitors are able to advise

and assist Prisoners PLEASE contact us at Chambers, where the Prison Law Team will be very pleased to work together on these deserving cases.



**Prison Law Team,
1 Pump Court
Chambers, Temple,
London EC4Y 7AB
Tel: 0207 842 7027
Fax: 0207 842 7088**

**"If something's wrong
do something
about it!"**

Government Ordered to Comply With EU Inmate Voting Judgement



The Government will look "afresh" at how to comply with a European judgment on giving prisoners a vote, justice minister Lord McNally has said.

This week the Council of Europe's Committee of Ministers expressed "profound regret" that the last Government had not lifted the total ban on prisoners voting in time for the general election.

The previous Government had been considering the issue since the European Court of Human Rights (ECHR) ruled in March 2004 that a blanket ban was unlawful.

Lord McNally told peers at question time:

"The Government is considering afresh the best way forward on the issue of prisoner voting rights."

He said the Government would "fully update" the European Council of its views in September.

But Labour's Lord Bach, a junior justice minister until the change of Government, pointed to the discrepancy between the former views of the two parties in the ruling coalition.

"Before the election the Conservative opposition was strongly in favour of the steps taken by the then Government to implement the ECHR ruling and Liberal Democrat party were equally strongly against our approach, accusing the then Government of dragging its feet," he said.

"What is the view of the present Government and why is there no mention in the document The Coalition: Our Programme for Government?"

"Is the issue not important enough for the document or is it just too difficult?"

Lord McNally, also leader of Liberal Democrat peers, said a further ECHR ruling in April in relation to Austria had "narrowed even further the terms by which votes could be denied to prisoners". As a result it was "perfectly reasonable" for the Government to take its time to consider the matter. Former chief inspector of prisons Lord Ramsbotham, a crossbench peer, said: "The question is not who has the right to vote but who does not."

"That, in France and Germany, is decided in court at the time of sentence by the judge according to the crime."

Lord McNally said it was "one of the considerations" that would be taken into account.

The Council of Europe's Committee of Ministers considered the UK's non-compliance with the judgement of the European Court on 7th June.

In its judgement it said that the Ministers:

1. recalled that in the present judgment, delivered on 6 October 2005, the Court found that the

general, automatic and indiscriminate restriction on the right of convicted prisoners in custody to vote, fell outside any acceptable margin of appreciation and was incompatible with Article 3 of Protocol No. 1 to the Convention;

2. recalled that in December 2009, the Committee of Ministers adopted an Interim Resolution, in which it expressed serious concern that the substantial delay in implementing the judgment had given rise to a significant risk that the United Kingdom general election in 2010 would be performed in a way that fails to comply with the Convention, and urged the respondent state to rapidly adopt measures to implement the judgment;

3. recalled further that in March 2010, the Committee reiterated its serious concern that a failure to implement the Court's judgment before the general election and the increasing number of persons potentially affected by the restriction could result in similar violations affecting a significant category of persons, giving rise to a substantial risk of repetitive applications to the European Court;

4. expressed profound regret that despite the repeated calls of the Committee, the United Kingdom general election was held on 6 May 2010 with the blanket ban on the right of convicted prisoners in custody to vote still in place;

5. expressed confidence that the new United Kingdom government will adopt general measures to implement the judgment ahead of elections scheduled for 2011 in Scotland, Wales and Northern Ireland, and thereby also prevent further, repetitive applications to the European Court;

6. decided to resume consideration of this case at their 1092nd meeting (September 2010), in light of a draft interim resolution to be prepared by the Secretariat if necessary.

Have you raised the issue with your MP? Write and express your views on the failure of the Government to act by writing to your MP at House of Commons, Westminster, London SW1A 0AA.

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Jails Must End The 'Fetish of Faith'

FREEDOM TO THINK
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FREEDOM TO LOVE



HUMANIST SOCIETY

Prisons should avoid making a "fetish of faith" and treat prisoners equally, regardless of religion or belief, the British Humanist Association (BHA) has said.

The BHA made the comments following the publication of a report by HM Chief Inspector of Prisons on Muslims in prison, which said that an approach where all Muslims are treated as potential terrorists risked being a "self-fulfilling prophecy".

Naomi Phillips, BHA head of public affairs, said: "The Labour Government's strategy was effectively to hand over control of the rehabilitation of some of

the most vulnerable people in our society to religious organisations.

"This is despite the previous Government admitting that there was no credible evidence that 'faith-based' interventions actually had any direct impact on re-offending rates.

"Neither is there evidence that religious organisations have better, measurable outcomes than inclusive secular organisations."

In a report focusing on the experiences of Muslim offenders, Dame Anne Owers warned that security was better resourced and understood than diversity and the religious needs of Muslim prisoners.

She said prisons had come a "considerable distance" in improving facilities for different faith groups and added: "It would be naive to deny that there are, within the prison population, Muslims who hold radical extremist views, or who may be attracted to them for a variety of reasons.

"But that does not argue for a blanket security-led approach to Muslim prisoners in general."

Commenting on the report, Ms Phillips said: "The report from HMCIP recommends that staff should engage

with Muslims as individual prisoners with specific risks and needs, rather than as part of a separate group - yet the seemingly large and growing emphasis on meeting religious needs, even to the point where prisoners feel the need to convert, is surely counterintuitive to that aim.

"It is a potentially dangerous and damaging path to follow, which would see prisoners being seen and engaged with primarily on grounds of their religious identity."

Ms Phillips continued: "Prisoners should have real and equal chances in prison to rehabilitate, through inclusive, secular, programmes. Pastoral support and care may address some particular needs of prisoners whether religious or non-religious, but religious interventions must be totally voluntary and always and only be supplementary to those secular programmes."

The BHA is a national charity representing and supporting growing numbers of ethically concerned, non-religious people in the UK.

British Humanist Association,
1 Gower Street, London, WC1E 6HD
Tel 020 7079 3580
www.humanism.org.uk

the Lawrences page

Established 1991, Lawrences has won itself a well-deserved reputation in fighting for their clients. Since 2002 it has been an exclusively criminal practice and since James Smith-Wilds took over as Principal the firm has trebled in size. Today Lawrences' provides a seamless quality service for clients from the police station, through the Courts and all the way to the release of those unfortunate to receive a prison sentence. Lawrences is predominantly a legal aid firm specialising in criminal and prison law and recently achieved 'competent plus' status at peer review.

Such is their reputation that many people first experience Lawrences as prison law clients - having been referred by existing clients. Lawrences prides itself on fighting for their clients and always aims for excellence. Meet our prison law team on this page and contact any of them regarding our services. We can take telephone instructions, but please bear in mind that most fee earners are out of the office representing clients at court, the police station or in prison. Leave your name, prison number, and establishment details with our friendly telephonists and we will then write to confirm your instructions and then see you as soon as your prison can accommodate a visit. More than anything else, we want to help you.

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JAMES SMITH-WILDS



James Smith-Wilds:
Principal

Called to the Bar in 1999, James has always specialised in criminal law. Working in a specialist criminal law firm from the beginning James has always found the system lacking when it came to prisoner rights. Having cross-qualified and then taking over his own firm in 2004, James had the opportunity to provide a proper service for his clients throughout their passage through the criminal justice system, including any period of incarceration. A passionate advocate for justice and the rights of the individual, James established a prison law department based on strict principles and not merely profit. He holds the Certificate of Competency in Prison Law with Distinction and is always keen to get the best possible result for his clients; James fights their corner whatever their circumstances.



Helen Harris:
Head of Prison Law

Since graduating from university in 2003, Helen has been passionate about helping prisoners. In the last 6 years, Helen has built up an encyclopaedic knowledge of the Prison system having only specialised in Prison Law. Seeing prisoners on a daily basis, Helen is a regular at Adjudications and has built up a professional working relationship with many external adjudicators, often having prisoners referred to her and her representations being accepted without challenge. Helen holds the Certificate of Competency in Prison Law with Distinction and meets the new Supervisor criteria, soon to be made compulsory by the Legal Services Commission. Always ready to meet a challenge Helen has an excellent success record at both Adjudications and Parole Hearings.



Sally Smith
Prison Law Specialist

Sally's passion for Law began 14 years ago when she discovered a flair for the work, she qualified as an Accredited Police Station Representative early in 1998 and she has an enviable reputation with her clients for enthusiasm and success in both police stations and prisons. Sally has extensive experience in Police Station, Crown Court and Prison Law cases country wide. Sally has the Certificate of Competency in Prison Law with Distinction and she now specialises in providing advice and representation across the whole Prison Law range. Sally prides herself on having direct contact with her clients, listening to their problems, giving sensible and realistic advice and explaining every step in a way that is easily understood.



Annette Surkitt
Prison Law Specialist

Annette has worked in law for the last 8 years. Having only been with Lawrences for the last six months, such is the level of her specialisation, Annette too will meet the new Supervisor criteria by its implementation in October. Annette is passionate about Prisoner Rights and is always very keen to see the prisoner's view of things. Annette is an excellent addition to the Prison Law team at Lawrences and is extremely popular with clients. Annette, as with all the team at Lawrences, frequently travels up and down the country to see her clients. Believing that the clients' case is the most important issue and getting the best for the client justifies the travelling, ensuring continuity of care and an excellent level of service are the hallmarks of her professionalism.



David Lissaman
Head of the Crown Court Department

David has been working in the Criminal Justice System for 25 years and has specialised in Crown Court work for the last 10 years. David has been with us since 2007 and commented on how much more proactive we are in fighting for our clients. Indeed David noted that in the first 6 months at Lawrences he had conducted more appeals than he had for any other firm before. Since taking over the Crown Court department David has had an almost 100 per cent success rate at appeal. An active family man and keen rugby player, David, like everyone here at Lawrences, is a straight talking lawyer with a robust approach to cases who believes in giving accurate and impartial legal advice.



Mike Pryor
Consultant Solicitor

Mike has over 40 years experience in Crime, he originally qualified as a Solicitor in 1982 and has defended clients ever since. Mike became a consultant at Lawrences after retiring as the Senior Criminal Partner in a Leicester based firm. Primarily a Magistrates trial advocate, Mike handles the more complex prison law cases.



Mark Nichols

Mark has been a solicitor for over 19 years, and he ran his own specialist criminal law practice before joining Lawrences Solicitors two years ago. Primarily a court advocate, Mark is in the process of attaining his Crown Court rights of audience. A keen athlete, Mark approaches his cases with the same gritty determination that he has shown running the London and Paris marathons.



Shirley French: Practice Manager

Having worked at Lawrences since its inception, Shirley now runs the administrative side of the firm and is responsible for all practice issues prior to them being passed to James. This would include general file control and complaints. We have an open and honest attitude towards complaints, and whilst we may not achieve exactly what our client had hoped for, we always endeavour to do our best.



Paula and Jo

For many of our clients the first contact that they have with Lawrences will be with either Paula or Jo. Both of them have been telephonists with law firms since they left school and they have 25 years experience of handling clients between them. Friendly and efficient, always feel free to leave your details knowing they will be passed on promptly so that we can start working on your case straight away.



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HELEN HARRIS

Disgraced Child Porn Vicar Sent Back To Jail



A former vicar jailed for possessing thousands of child porn images has been sent to prison for another 14 months after admitting a string of further sex offences - committed just days before he was due to be released from an earlier sentence for the same thing.

Richard Hart, 61, of Beguildy, near Knighton, Mid Wales, admitted nine counts of sexually assaulting a schoolgirl just days before he was due to be released from prison.

The father-of-five and former priest in charge of four

south Powys parishes "had a deep-seated and spurious interest in children", Merthyr Tydfil Crown Court heard.

Hart also admitted one count of inciting a child to commit an act of gross indecency.

He was charged with the offences, relating to a prolonged period starting in April 2000, while in prison in March.

The court heard he was due to be released from prison on June 3 after serving part of a three-and-a-half-year jail term imposed in September 2008.

The disgraced former vicar had previously admitted possessing almost 57,000 indecent images of children on his home computer.

Cardiff Crown Court heard at the time that he had collected the images "like a magpie" over a 17-year-period.

Prosecutor Ieuan Morris told the court then that "beneath the respectability there was a perverted craving and lusting for young girls."

Hart indecently assaulted the girl, who was not a member of his parish, while he was still an ordained priest, the court heard today.

In a police interview, the former Sunday school teacher said it was "just playing around" but admitted what he did would be considered

inappropriate. Mr Morris said today: "He stockpiled an abundance of photos for the purposes of his own sexual gratification."

"He downloaded on to his home computer over 56,000 pornographic images of children aged between four and 15 years - a figure that, quite frankly, defies comprehension."

The court heard that he would look at some of the images with his wife Julia before they had sex together.

Mr Morris said there was no suggestion that Mrs Hart knew of her husband's activity with the child.

At a previous hearing, Hart pleaded not guilty to three counts of indecent assault on a child and three of inciting a child to commit an act of gross indecency, all of which are to lie on file.

Hart was suspended from the Church in Wales when his offending first came to light and was later deposed from holy orders, John Ryan, defending, said.

Hart was also removed as chairman of the governors at a local school.

Mr Ryan said: "He has done well in a rolling sex offender programme."

"He recognised he needs to improve his emotional intelligence and the difficulties he had in dealing appropriately with others."

He said Hart had two autistic sons and turned to pornography to cope with the stress.

Sentencing, Judge Peter Heywood said: "These are serious offences and I would not be carrying out my duty if I did not impose an immediate custodial sentence."

He added that he did not consider Hart to be dangerous and told him he would serve seven months in prison.

He extended his licence period for four years.

36 Weeks in Jail for £12k

A man has been jailed for using an elaborate trick to steal more than £12,000 in cash from a businessman after he withdrew the money from a bank in Portsmouth.

Victor Gonzalez, 53, had followed Alan Young as he returned to his car with the money inside a brown envelope after making the withdrawal from a bank in Hampshire. As Mr Young sat in the car, Gonzalez, a father-of-15 children from Chile, South America, ran up to the vehicle shouting "Money, money, money", Portsmouth Crown Court heard.

Iain Wicks, prosecuting, said that when Mr Young looked out, he saw a number of £5 notes flying away in the wind and he assumed the money was his. He got out of the car to pick up the money and returned to his car, but when he later checked the envelope which he had left in the car, he found it had been switched.

Mr Wicks said: "It was only when he got home and went to open the envelope that he realised that the money was gone and there was nothing but torn-up pieces of newspaper inside."

Gonzalez pleaded guilty to the offence of theft at an earlier hearing. Sentencing Gonzalez, who has previous convictions for theft, to 36 weeks in prison, Judge Ian Pearson said: "You are a thoroughly dishonest man. There is no doubt, bearing in mind the sum of money involved, this offence is so serious that only a custodial sentence is appropriate."

The money has never been found and Gonzalez was ordered to be deported.

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An HM Revenue & Customs (HMRC) debt collection officer has been jailed for two and a half years at Hereford Crown Court after he pleaded guilty to stealing nearly £85,000 from taxpayers.

Geoffrey Eley, 44, of Redditch, worked collecting overdue payments from taxpayers. Between 2001 and 2007 he visited businesses and individuals door-to-door, taking cash payments from 15 taxpayers which he then pocketed. Eley conned the taxpayers with photocopies of official HMRC receipts, leading them to believe that they had settled their debts with HMRC.

Eley, a serving HMRC officer of almost 27 years, stole a total of £84,950; individual amounts taken from taxpayers ranged from £1,000 to £28,904. He attempted to cover his tracks by crediting the duped taxpayers' accounts with cheque payments received from unconnected third party taxpayers.

Joff Parsons, Head of HMRC's Internal Governance Criminal Investigations, said:

"HMRC expects the highest standards of behaviour from its staff. Eley abused his position of trust for personal gain. We will relentlessly pursue anyone who attempts to steal from public funds and they will face criminal sanctions. HMRC has taken steps to ensure that this abuse can not be repeated. Corruption amongst our staff is rare and will not be tolerated."



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**Miscarriages of Justice
Support Service**
The RCJ Advice Bureau
4th fl. First Avenue House
42-49 High Hoborn
LONDON WC1V 6NP

How Would You Cope With Being Released?

"...have you ever thought about what you would do if you were wrongfully convicted?"

The Miscarriages of Justice Support Service can help!

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I came out of prison on a Friday and on the Wednesday the job centre said I was fit for work. Even though I explained that physically I was fit but mentally I was not as I had just come out of prison after 17 years. The job centre said "So what, are you fit for work or not?" I tried to explain that I needed time to adjust and find somewhere to live first. This was ignored and I was refused benefit. When the CAB Miscarriages of Justice Support Service was set up a year after my release they were able to get my benefit repaid and backdated to the time I was refused. They continue to help me when various needs arise."

Can we help you? Yes we can if your case has been referred to the Court of Appeal by the Criminal Cases Review Commission, or you are pursuing your own 'out of time' appeal, you (or your solicitor) can contact the MJSS advisors, either by writing to them at:

The Miscarriages of Justice Support Service is independent, confidential, and free of charge.

The Miscarriages of Justice Support Service (MJSS) was set up six years ago to provide practical help and advice for prisoners in England and Wales who have been wrongfully convicted.

"The Miscarriages of Justice Support Service has been going on for some time now and has been able to help a number of clients who have been victims of a miscarriage of justice and therefore has gained a lot of experience from talking and helping clients resettle back into community."

While numbers vary, between 2004 and 2008 on average just over 200 people annually had convictions quashed by the Court of Appeal because their convictions were judged to be 'unsafe'. The circumstances of each case will be different and the types of convictions that are quashed range through a spectrum from the most serious offences such as murder, attempted murder or rape to less serious offences.

The service is run by the Royal Courts of Justice Advice Bureau, part of Citizens Advice Bureau (CAB) and based in High Holborn, London. We provide an outreach service covering England & Wales to suit your needs.

Once your case has been accepted by the MJSS, an adviser will make arrangements to come and see you to discuss and assess your needs. They will cover a wide range of issues including housing, benefits, compensation, health issues, employment,

budgeting and finances, families and relationship. The advisors will stay in touch with you throughout your appeal process and be in position to assist when you are released. When a case is quashed by the Court of Appeal, release is usually sudden. Once somebody's conviction has been quashed, they no longer fall within the Probation remit. They can find themselves on the outside, with a bag of belongings and the £46 prison discharge grant in their pocket. There may be an initial sense of euphoria, but then what?

The Service will help with all sorts of practicalities such as finalizing accommodation arrangements, form-filling, National Insurance contributions, booking appointments and accompanying you on visits to other services if necessary, and helping you to register with a local GP.

The MJSS advisors will work alongside you and help you with any resettlement needs. If you need help because of the psychological impact of your wrongful conviction and imprisonment, the advisors will be able to refer you to the appropriate specialist. No cases are typical, but the problems they face are similar. A case study may illustrate this:

Our client had his conviction quashed at the Royal Courts of Justice after over 20 years of being wrongfully detained. We were made aware of our client by the CCRC two weeks prior to his release, as the client case had been fast tracked through their system. We visited the client in prison and assessed that he would need a great deal of help in his resettlement, especially for his mental health. We managed to secure accommodation for the client and put a mental health team in place for him prior to release. When he was released we took the client to the allocated accommodation and also to the hospital for the mental health team to do an assessment to determine the level of support he would need. We then took the client shopping for the basic things such as bread, butter, sugar etc. The following day we then accompanied the client to the hospital and also advocated on behalf of him at his homelessness interview. We contacted the GP for him to be registered with someone in view of his poor physical and mental health. The next day we then accompanied the client to the benefits office to collect the relevant forms. We also assisted the client to get a mobile phone, and was kindly reimbursed by the Mental Health Team at Kensington. The client was then offered permanent accommodation by the council, but has now left London to move to the North of England to be with his family. We are assisting the client to secure accommodation there. The client is now in receipt of benefits and has daily support from the mental health team.

"Upon release I found that there was no official help to help me back into society. Some reading this may say to themselves "I do not need any help and will be able to just get on with my freedom". I am afraid that you will find, like myself, the reality to be a lot harder than you thought.

A person who goes to prison for a crime they were not guilty of will find that upon release they will have

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help and support from such people as the Probation Service, NACRO. They receive help with such things as a place to live, often employment etc. When I was released there was no help. I was fortunate that I had a friend who was willing to put me up and help cloth and feed me. I was again fortunate that I was able to get an interim payment of compensation after about two months after leaving prison. (Today the system for compensation for victims of miscarriages of justice has changed, and it can take 9 months before you are accepted onto the compensation scheme.)

This is where the Miscarriages of Justice Support Service comes in, which is run by the Citizens Advice Bureau (CAB). It is possible that you consider that the CAB knows nothing about what victims of miscarriages of justice go through.

The reality is that only an ex-prisoner knows what it

is like to be a prisoner. I once heard a saying that only a fool turns away a friendly helping hand. Upon release you are going to find it hard just with the readjustment to life outside. So burden yourself with additional burdens of dealing with the various public bodies you need to deal with, housing/ benefits etc. would place unnecessary mental strain upon yourself. I therefore urge you to take up the helping hand that is offered to you from the Miscarriages of Justice Support Service at the Citizens Advice Bureau. I write this to you as a victim of a miscarriage of justice knowing that you will need help and am letting you know that help is available. I will also stress to you that the Miscarriages of Justice Support Service is a free service and strictly confidential."

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the Mackesys page

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Mackesys Solicitors has been a major criminal practice in South London for more than 20 years and holds three Criminal Contracts, awarded by the Legal Services Commission. Our Prison Law Department looks after the Rights of Prisoners, whether they are long-term or only just detained.

Our Specialist Prison Law Team is headed by Fosia Jury and Darren Cousins, both of whom have been accredited by the Institute of Prison Law and other members are Clint Ambrose, Charana Sangeewa, Antonita Nagalingam and Nasreen Hussain who have all been through a thorough training and accreditation process.

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DARREN COUSINS

We are acutely aware of how distressing and confusing issues surrounding imprisonment can be for both the person detained and their families, and will do everything we can to alleviate the strain placed on those involved.

Prison Discipline

Have you been charged with an offence against prison discipline? Are you now waiting an adjudication either before an independent adjudicator or prison governor?

We can represent you, in person, at the hearing before the independent adjudicator. However, this representation is not available before the governor, BUT we can forward representations on your behalf to the governor.

Parole

Are you eligible for Parole soon? Has your parole dossier been served on you and you don't know what to do with it?

We can help you by providing representation either on paper or at an oral hearing.

Release from Custody

We can assist in the following early release applications:

HDC
Parole Licence
Compassionate Release
Temporary Licence
Early release

You will be subject to licence conditions. Should you breach any of the conditions you will be liable for revocation and recall to prison. If you have been recalled to prison for breach of licence conditions, we will be able to assist you and, where appropriate, represent you at an oral hearing before the Parole Board.

Appeals

"Justice for all"

The criminal justice system can and does get it wrong. We have solicitors who specialise in appellate work, both in appeals against conviction and sentence.

Appeals against conviction

ALL LIFE SENTENCED CASES CONSIDERED

We understand that many things can result in a wrongful conviction such as:-

- Prosecution non-disclosure of evidence
- Police error or misconduct

- Improperly obtained confessions
- Flawed identification
- Flawed scientific or forensic evidence
- Poor defence lawyer team

WE CAN GET LEGAL AID UNDER THE ADVICE & ASSISTANCE SCHEME (where applicable) Please write to us or call for further details.

We can help! We can look through your case and provide you with an opinion on whether you have any merits in appealing. This work is time consuming and involves a thorough analysis of your case but there might be fresh evidence that has come to light which was not available at the time of your trial. All of this matters.

It can be a long and difficult task in overturning a conviction and those who have been wrongly convicted face a struggle to put the wheels of justice into reverse. It is so important that we work together as a team to ensure that we get things properly prepared and right before lodging any grounds for appeal. You will need a committed solicitor throughout this process.

Due to the time consuming nature of appeals against conviction, we only concentrate on the most serious cases where the client has been sentenced to a term of imprisonment of at least 10 years or more.

Appeals against sentence

Did an error occur in the sentencing process?

Was the sentence passed much more than was expected?

Was the sentence not justified by law?

If any of the above rings true, call us. We can look into your case and advise on whether the sentence can be reduced based on the above principles.

Mackesys Family Solicitors

Mackesys specialises in Family Law, including divorce, cohabitation, domestic violence and we have major expertise in cases involving children, including child abduction.

Our solicitors are all specialist family lawyers and are committed to providing an excellent and sympathetic service to all of our clients. They understand the trauma and distress involved in family breakdown and aim to offer clients a friendly and straightforward service, with a clear explanation of the options available to them. This then enables clients to make well informed decisions with the knowledge that they are doing so having received expert advice.

Mackesys is also committed to legal aid and we have been approved by the legal services commission and currently hold a family law contract with them.

SPECIALIST AREAS

CHILD ABDUCTION AND RELOCATION

We represent parents in this country and abroad in conventional cases where children have been removed without parental consent. If you believe there is a risk of your child being taken abroad by a relative or your ex-partner without your consent we can act quickly in an emergency to obtain court orders to prevent the removal.

RESIDENCE DISPUTES

Where parents cannot agree about the arrangements for their children the court can make orders under the Children Act 1989. The court can therefore decide where a child should live in the form of a residence order.

CONTACT DISPUTES

When parents cannot agree the arrangements for their children the court can make orders under the Children Act 1989. The court can decide how often the child should see another parent or relative in the form of a contact order.

CARE PROCEEDINGS

We represent parents, children and others in disputes with local authorities relating to:

- Care orders and emergency protection orders, including emergency hearings
- Supervision orders
- Secure accommodation orders
- Child protection investigations
- Adoption

We can also advise extended family members on what they can do to ensure that they are assessed by social services as carers for children whose parents are not able to look after them.

DOMESTIC VIOLENCE

In these very traumatic and distressing situations we can offer sympathetic and practical legal help. We offer an immediate response and urgent same day appointment (where necessary).

We can help with:

- Protection against violent partners or other family members by way of non-molestation orders.
- Cases of harassment
- Dealing with the occupancy of the family home in cases of violence
- Liaising with groups offering emergency support
- Liaising if necessary with the police and other agencies.

ANCILLARY RELIEF

Our Ancillary Relief department deals with all aspects of financial provision following the breakdown of a marriage including:

- Division of matrimonial home/property and other assets/money
- Transfer of tenancy
- Maintenance
- Injunctions including the freezing of assets
- Pensions
- Cases including a foreign element
- Financial provision for children and property
- Children - disputes between cohabitants

If any of the above affects you or your family - talk to us!

Mackesys Solicitors

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Tel: 0207 639 0888 (24 hours)

Family Law Dept: 7 & 9 Lewisham Way, London, SE14 6PP

Tel: 0208 244 0444

Serial Rapist Gets 12th Life Sentence



A victim of a serial rapist who attacked her nearly 30 years ago as her terrified three-year-old daughter hid behind the settee said she felt "numb" and "angry" when she saw him for the first time as he was jailed for life.

The woman and her now grown-up daughter sat watching in Sheffield Crown Court as Andrew Longmire (above pictured in 1985) appeared by video link from Whitemoor maximum security prison in Cambridgeshire.

Longmire, 54, has been a Category A prisoner for the last 22 years, since he was jailed for life for 11 rapes, three attempted rapes and a range of other offences in Manchester in 1988.

Longmire admitted an attack in 1981 on the woman at her Sheffield home and was given a further life term.

Fiona Swain, prosecuting, told a judge how the victim was 26-years-old when masked Longmire came into her house after her husband had gone to work.

He threatened her with a foot-long screwdriver, forced her to undress and put a cushion cover over her head before he raped her.

Ms Swain said the woman thought she was going to be killed and was terrified the attacker would harm her three-year-old, who hid behind the settee.

Longmire was caught after a "cold-case review" by South Yorkshire Police.

The court went through Longmire's lengthy criminal record which culminated in 1988 when he was sentenced in Manchester to life imprisonment, with a minimum term which was eventually fixed at 20 years.

The judge was told all his applications to be taken out of the most dangerous Category A have been dismissed and the parole board has refused to release him.

He was jailed in 1988 for 11 rapes and three attempted rapes which were described as of a similar type to the one which was outlined in court.

Longmire targeted women in their late teens or young mothers in a range of places but mainly in the Manchester area.

The Recorder of Sheffield, Judge Alan Goldsack QC, jailed Longmire for life and set a minimum term of two years.

The judge said the attack in Sheffield was a "dreadful offence".

"You raped a young woman in her own home and in the presence of her little child, then aged three," he said.

Judge Goldsack heard how Longmire was diagnosed as having a personality disorder as long ago as 1975 when he was described as a "delinquent psychopath".

He was more recently diagnosed as having an anti-social personality

disorder the court heard.

"You are a dangerous man," the judge said.

He noted that the two victims of the 1981 attack - the mother and her daughter - had spent nearly three decades not knowing who did it.

"By not admitting this offence long ago, you have put this victim through considerable further trauma," the judge said.

After setting the minimum term, the judge told Longmire: "Whether, after that, you are ever released will only happen if the various risk factors the Parole Board identified have been reduced almost to the point of not existing at all.

"On the evidence I have seen, that's not likely to happen in the foreseeable future."

Longmire, who has long grey hair and a grey beard, sat listening to the judge in a room at the prison.

Speaking outside the court, his victim and her daughter said they were pleased they now had answers and that Longmire was behind bars.

Asked how she felt about seeing his unmasked face for the first time, she said: "Just numb". She then added: "Just angry".

The woman added: "He's too dangerous to be let out.

"You don't want it happen to anybody else."

Recalling the terrible events of 1981, she said she was terrified for her daughter.

"I just wanted to pick her up," she said.

Asked about the cold-case review and the conviction of Longmire, the woman said: "I hope it makes more women come forward, though, and do what I've done."

Her daughter said that for a long time she remembered the events of that night as a terrible dream.

Longmire is originally from Bolton, Lancashire, and he lived in the Manchester area during the 1980s, police said.

Detective Sergeant Ian Harding, from South Yorkshire Police, said: "This incident had a devastating effect on this woman, her husband and their child.

"The effects of what Andrew Longmire did that day have haunted this family ever since and I am so pleased that they have now seen justice done after all these years.

"When considering this case, though Longmire had been serving sentences which most people might assume would keep him in prison forever, the fact remained that he was technically eligible to apply for parole.

"This, along with the value of the victim gaining closure, persuaded us that it was in the public interest to proceed with this case. I am pleased to say our colleagues in the CPS agreed with our view."

Cop Sacked After Rape Complaint

A police sergeant has been sacked after sending junior staff home early so he could have sex with a woman colleague in north London.

An investigation was launched after the woman complained she had been raped at a police building in Islington. The sergeant was arrested by investigators from the Metropolitan Police's directorate of professional standards last August. A file was handed to the Crown Prosecution Service (CPS) but no charges were brought.

The Independent Police Complaints Commission (IPCC) said the officer has been "dismissed with immediate effect" after a disciplinary hearing.

The incident took place on August 5 last year when the sergeant sent several community support officers home early. This left the police building he worked in empty so he could have sex with a civilian colleague.

Rachel Cerfontyne, of the IPCC, said: "The Met misconduct panel found that this woman was vulnerable and that the police sergeant engineered a situation whereby he was alone with her in a police building.

"Behaviour of this kind falls far below the standards expected from a police officers and it will not be tolerated."

Jennette Arnold, who represents Islington on the Metropolitan Police Authority, said the sergeant was in a "tiny minority" and the vast majority of officers "wear their uniform with pride". She said: "It is beyond me how this cretin could think he can come in and do this. How he ever thought he could get away with it, I do not know. I welcome the decision.

"I am an unapologetic zero-tolerance woman when it comes to this. It is good he has been picked up and the process has worked. I do welcome it and it sends a signal throughout the service to say this is unacceptable. If people know people like this, they must speak out."

Talking sense



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CONSCRIPT

Letters to the Editor.....

'PSO WATCH' INACCURATE INFORMATION

I'm writing relating to the letter on the letters page in the May issue of Converse about an inaccurate 'PSO Watch' in Inside Time on Category A. I wrote at the time to Inside Time [April 2009], and my recollection is that this was published in the following issue. However, the incorrect information is still on Inside Time's website without any comment to the effect that the content is not accurate. I am therefore copying John Bowers into this email with a request that this is remedied, as whatever our differences, all of us cannot fail to be agreed on the need for correct information to be provided to prisoners.

Nicki Rensten
Prisoners' Advice Service
PO Box 46199
London EC1M 4XA

I read with interest the letter in ConScript last month about inaccurate information contained in Inside Time's PSO Watch - I have written to them a few times about inaccurate information in this section which is compiled by John Hirst but never had a reply.

Can I also add that I feel aggrieved with Inside Time because they are letting their feelings for Converse and

The Prisons Handbook cloud their professional judgement too in another of their publications.

In their 'Inside Information' book (which should be called 'Inside Disinformation') they quote PSO 6710 and give a list of what purports to be 'all the reference books that must be held in the Prison Library' - yet they have very quietly 'airbrushed out' of that list all mention of The Prisons Handbook which actually appears in the PSO and which, unlike Inside Information, is in fact a mandatory publication - and deservedly so given the disinformation in their book!

Whatever they may feel about competitors it is not acceptable that they bastardise Prison Service Orders to give to us prisoners a warped view of what they feel we prisoners should know.

If they are going to quote from a PSO then they should quote from it accurately and not give us their sanitised version of what the PSO states for their own selfish ends.

Ben R
HMP Norwich

Mark Leech replies: It is inevitable in the real world that errors will creep in to any publication, its the speed and zeal with which they are corrected that matters - which is why we've corrected on Page 2 the mention last month about semi-open categorisation for females.

However the inaccurate information published by Inside Time about Category A prisoner reviews and reports, has remained uncorrected on the Inside Time web site for well over a year - despite the fact that Nicki Rensten told them about it at the time - a web site Inside Time promotes as accurate to the family and friends of prisoners. More than that, there is also a world of difference between letting errors creep in and not correcting them, as in the case of PSO Watch on one hand, and deliberately 'airbrushing' out of Prison Service regulations all mention of competitor publications just because of personal animosity. John Hirst's keenness to rattle the prison service gates is admirable, but it so often causes him to exceed the very limited extent of his legal knowledge - and one thing Inside Time have spectacularly failed to appreciate is that you never get away with these underhand things; in fact it results in the attempt at deceit being far more widely broadcast, along with publicity for The Prisons Handbook (see Page 17) which they sought to hide, than simply telling it like it is and setting out ALL the mandatory publications in the first place - whether published by a competitor or not - as Nicki Rensten so accurately puts it: "Whatever our differences, all of us cannot fail to be agreed on the need for correct information to be provided to prisoners." Hear hear!

only this week when the new Justice Secretary Kenneth 'Coalition' Clarke claimed he could save millions of pounds by reducing the prison population which had doubled since he was Home Secretary 20 years ago. He claimed, bizarrely, not to understand why it had doubled so let me tell him why it's occurred.

The prison population has doubled Mr Clarke because the numerous thieves, junkies, rapists and thugs who appear before the Magistrates Bench where I am Chair just do not 'get it' that we are serious about sentencing.

By the time we send them to prison they have often appeared before us dozens of times, have been through the whole gambit of non-custodial sentences, and have not complied with the terms of those sentences by failing to turn up for their unpaid work, or committing other offences.

What are we supposed to do faced with criminals who repeatedly, week after week, stand in the same dock for the same kind of crimes? There are victims here, thousands of them in some drug cases - last year Home Office research tracked 650 addicts and found in one three month period they were responsible for over 70,000 offences. There comes a time where prison is the only option and whether Mr Clarke likes it or not that is where my court packs them off to without even a twinge of our judicial conscience - other than to wish we could send them there for longer.

If Mr Clarke wants to save money on his prisons budget he can start by removing all the Play Stations, in-cell TVs/DVD players that prisoners are allowed, let's get back to basics and make prison all about punishment and bugger all about rehabilitation; if criminals want to rehabilitate themselves that's fine but they can do it not because of any help they get that I pay for, but because they learn the lesson that prison is a brutal place which in future they can avoid entering by doing what the rest of us do - being honest.

Name Withheld
Oxford

Mark Leech replies: It astonishes me that morons like you ever get elevated to the bench - you're hardly fit to sit on a seat let alone in judgement of others.

Oh how I wish I could just take a peak inside your closet and see what skeletons and dark secrets there are rattling around unknown to the world.

I haven't printed your name as you requested but I have forwarded a copy of your letter to the Lord Chancellor's Department asking how the likes of you, with such discriminatory views, was ever called for interview, let alone appointed to the office of Magistrate.

The only place you should be sitting in a court of law is in the Dock!

SMOKING IN CELLS

I'm a non-smoker and on remand and I've been put in a cell with a guy that puffs his way through 40 a day. Sometimes its hard to breath because of all the smoke, is there anything that I can do about it?

Nicotine-Stained Nick
HMP Brixton

Mark Leech replies: The answer to this is yes, and no. In terms of the theory it is absolutely clear that a non-smoker cannot be forced to share a cell with someone who smokes - the problem however is with the practice. over 80% of prisoners smoke and prisons only have so many cells in which to accommodate inmates, so while the theory may say one thing actually translating it into practice is entirely a different thing.

Prison Service Instruction 9/2007 states: "Non-Smokers must not be required to share a cell with smokers who are actively smoking.

"The status of a prisoner as a smoker or non-smoker should be established as part of reception procedures. Thereafter, arrangements must be made to place non-smokers and smokers in separate accommodation.

"Dormitory (i.e. containing more than 4 persons) accommodation must be smoke free."

Technically you can demand that you held in smoke-free accommodation as a non-smoker, but actually finding the space in the jail to accommodate that request is sometimes impossible.

He asked me to play pool - and used me as the table



This wasn't his sentence and it's not yours! You're in prison to do your time - and that's all.

If you've been the victim of violence in prison you don't have to just accept it. The powers-that-be probably won't help you...see if we can.

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Service and operate across the entire country, so contact us at:

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Prison Service Orders & Instructions

Relevant to Prisoners.....

and getting access to them!

Prison Service Orders (PSOs) are long term mandatory instructions that are intended to last for an indefinite period. Prior to August 2009 they were the main way in which policy was set out and notified.

Prison Service Instructions (PSIs) were intended to be short term mandatory instructions which were intended to update and amend PSOs until the document itself could be reissued.

In August 2009 that changed.

Now all notifications of policy are issued by way of PSIs - which expire after four years although they can then be renewed.

The following is a list of Prison Service Orders currently in force copies of which are available to you through your Library.

We have also listed the most recent PSI's - again you must be able to access these through your library - if you cannot then you can request access via the requests complaints system

Many inmates write to us complaining that they cannot get access to Prison Service Instructions or Prison Service Orders.

All inmates have the right of access to such documents and this is made clear in PSO 6710; in fact not only do you have the right of access, you specifically have the right of 'easy access'.

Some prisons will only allow access while you are visiting the library and will not allow you to loan either PSOs, PSIs or reference books - if this is the case you should seek legal help because such restrictions on your access are contrary to the policy of 'easy access' and the courts may rule such restrictions unlawful.

Pursuant to PSO 6710 all prison

establishment libraries **MUST** have on **PROMINENT DISPLAY** a list of **ALL** reference books that are available to you, and you must be allowed easy access to them.

If you are being denied access to the reference books, or there is not a list of reference books on prominent display of the books available then you should raise it via request/complaints - if you request a copy of PSO 6710, this will detail all the reference books that must be made available to you.

PRISON SERVICE ORDERS

0000 - numerical index
0000 - subject index
0001 - prison service Instructns
0100 - the prison rules
0101 - yoi rules
0150 - civil justice sys
0200 - standards manual
0500 - reception
0550 - prisoner induction
0900 - categorisation allocation
1010 - cat a prisoners
1030 - video links
1250 - prisoners property
1300 - investigations
1301 - deaths in custody
1600 - use of force
1700 - segregation
1702 - anti bullying
1810 - maintaining order
1900 - prisoner accommodation
2000 - adjudications
0205 - offender assessment
2300 - resettlement
2350 - housing needs asesmt
2400 - therapeutic communities
2510 - requests and complaints
2520 - prison ombudsman
2600 - prisoner legal issues
2605 - legal services officer
2700 - suicide & self harm
2710 - Deaths in custody

2750 - violence reduction
2800 - race equality
2855 - prisoners: disabilities
3050 - continuity of healthcare
3100 - quality in healthcare
3200 - health promotion
3550 - clinical services
3601 - mandatory drugs testing
3605 - mdt samples
3610 - visits: drug smuggling
3620 - voluntary drug testing
3630 - carats
4000 - (3) CCRC
4000 - IEPS
4201 - open university
4205 - education in prisons
4250 - physical education
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4695 - DNA sampling
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4950 - care of young people
4960 - detention under s 92
5000 - prison catering
5010 - prison service catering
6000 - parole release & recall
6100 - the bail system
6101 - bail information schemes
6200 - transfer of prisoners

6300 - ROTL
6400 - discharge
6650 - sentence calculation
6700 - home detention curfew
6710 - prison libraries

RECENT PRISON SERVICE INSTRUCTIONS

2010-034 - accommodation and support service for bail and HDC
2010-032 - prison discipline manual authority to conduct adjudications
2010-029 - indeterminate sentence manual amendments
2010-026 - travel and subsistence
2010-025 - permanent transfers
2010-024 - performance management policy
2010-023 - staff alcohol policy
2010-022 - tupe
2010-021 - exit management
2010-020 - keeping in touch policy
2010-019 - special leave policy
2010-018 - absence management policy
2010-017 - parental leave policy
2010-016 - confiscation orders
2010-015 - ending of end of custody licence scheme
2010-013 - prosecuting absconders
2010-012 - prolific and priority offenders
2010-011 - prisoners property change to prison and yoi rules
2010-010 - occupational health functional mailboxes
2010-009 - reporting wrongdoing
2010-008 - post incident care
2010-007 - packaging material usage legal requirements
2010-006 - conduct and discipline
2010-005 - flag flying 2010
2010-004 - overpayments of salary
2010-003 - cat a security review
2010-001 - licences for dvd television in prisons
2009-035 - id for bank accounts for prisoners including 16 18 year olds
2009-034 - victim representation at parole board hearings

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“Don’t Let My Mother Die” Plea



The daughter of a British woman who worked as an informant for the Drug Enforcement Agency and is now on Death Row in the US has pleaded with MPs to help prevent her mother's execution.

Linda Carty, 51, could be given the lethal injection within months after the Supreme Court refused to review a murder conviction campaigners say resulted from a "catastrophically flawed" trial.

Her daughter, Jovelle Carty Joubert, has flown into the UK from her home in Texas, as part of desperate efforts to rally support for the condemned woman, who has always protested her innocence.

Over the next few days she will meet Foreign Office officials and MPs in a bid to rally support for her mother. But she has so far failed to secure a meeting with any Government ministers.

Speaking at a press conference inside the House of Commons, Ms Carty Joubert called on politicians to increase the pressure on US authorities over her mother's case.

She said support from the UK was coming across "loud and clear" in Texas but more needed to be done.

Carty was convicted in 2002 over the kidnap and murder of Joana Rodriguez, who was seized alongside her four-day-old son by three men on May 16 2001.

The baby was later found unharmed in a car, but Ms Rodriguez was killed, having suffocated with duct-tape over her mouth and a plastic bag placed around her head.

Carty has always maintained her innocence.

She claims she was framed over the

murder by the men who carried out the abduction due to her earlier work as an informant for the Drug Enforcement Agency.

Legal rights charity Reprieve claim Carty was given an incompetent defence lawyer during the original trial who, amongst other alleged failings, neglected to inform the British Government so it could intervene on her behalf.

Documents filed with the Supreme Court accuse the court-appointed trial counsel Jerry Guerinot of a "deplorable" trial performance.

Likewise the Foreign Office complained of "ineffective counsel" in court filings it made under the last government in support of Carty.

Despite this, the US Supreme Court has refused an application to review the 51-year-old's murder conviction.

It means that Carty could be executed within months unless the Governor of Texas intervenes.

She is currently being held in a Death Row prison in Gatesville, Texas.

Her daughter spoke of her mother's life behind bars and the impact it was having on the family.

Ms Carty Joubert said: "It is horrible. I have to see my mum in a cage and in shackles. I do not get any contact, I can't hold her hand."

She added that Carty's two young grandchildren are prevented from visiting her under state law.

Referring to her mother's execution, Ms Carty Joubert said: "Just thinking about it makes me sick. It is hard enough that my mother isn't there but at least there is a small bit, I get to see her.

"But knowing that she won't be on this earth for something she didn't do makes it harder."

She added: "We haven't had justice, my mother is basically a scapegoat."

Ms Carty Joubert was joined by Tory MP Peter Bottomley and Clive Stafford Smith, director of Reprieve at today's press conference.

Tomorrow, she will meet Foreign Office officials to press the case for her mother. But to date, Ms Carty Joubert has been unable to secure a meeting with any Government ministers.

Asked if he was disappointed that no member of the coalition had put themselves forward, Mr Stafford Smith said he was "confident" that the Government would do the right thing when it came to Linda Carty.

He added that her case represented the "first test of the coalition" when it came to protecting the fundamental right to life of its citizens.

He added: "It does seem to me to be reasonable that the British Government says to the US government 'We are your closest ally, we would appreciate it if you didn't go killing our citizens'."

Carty was born on the Caribbean island of St Kitts to parents from the British overseas territory of Anguilla, and holds a UK dependent territory passport.

A Foreign Office spokesman said: "We didn't find out about Jovelle's visit until last week.

But officials who have been working closely on Linda Carty's case will be able to see Jovelle and discuss the latest situation with her. They will update ministers in due course."

CCRC Refers Murder To Appeal Court



The man convicted of killing drifter Peter Halliday could have his life sentence quashed after 12 years in prison after the Criminal Cases Review Commission (CCRC) referred his conviction back to the Court of Appeal.

The referral centres around new forensic evidence available

believe that there is a real possibility that it will be concluded that the conviction is unsafe and that it will be quashed."

This means Earle, originally from Athlone in Ireland, and known as Irish Sean, could walk free from jail if it is ruled his conviction is no longer secure.

Earle was convicted of Mr Halliday's murder by a jury with a majority verdict and jailed for life, with a minimum term of 17 years. Mr Halliday, 67, had been living rough with Earle and his girlfriend in a farmer's barn near Alnwick Castle, when a fight broke out between the three.

Mr Halliday was attacked with an iron bar and strangled. Earle, along with another man, Stephen Williams, then 38, from Alnwick, moved his body and hurled it into the North Sea. Shirley Waddington, who was Earle's former girlfriend and a key prosecution witness at that trial, was staying with him at Pennywell Barn, Alnwick, when Mr Halliday was killed on August 2, 1997.

Loner Mr Halliday was a harmless eccentric who spent long periods on the road but had a base at his brother's home in Musselburgh near Edinburgh.

During the 10-day trial Earle claimed Miss Waddington confessed to murdering the pensioner.

She admitted to helping dispose of the body when the pair were originally arrested, but gave evidence against Earle. After the case, she was entered into the Northumbria Police witness protection scheme.

In Earle's first appeal it was argued there had been no scientific evidence against him and that the unreliable evidence of Miss Waddington was underplayed by the judge.

But that appeal was rejected and Earle remained in jail.

It is now again up to the Court of Appeal to decide what happens next.

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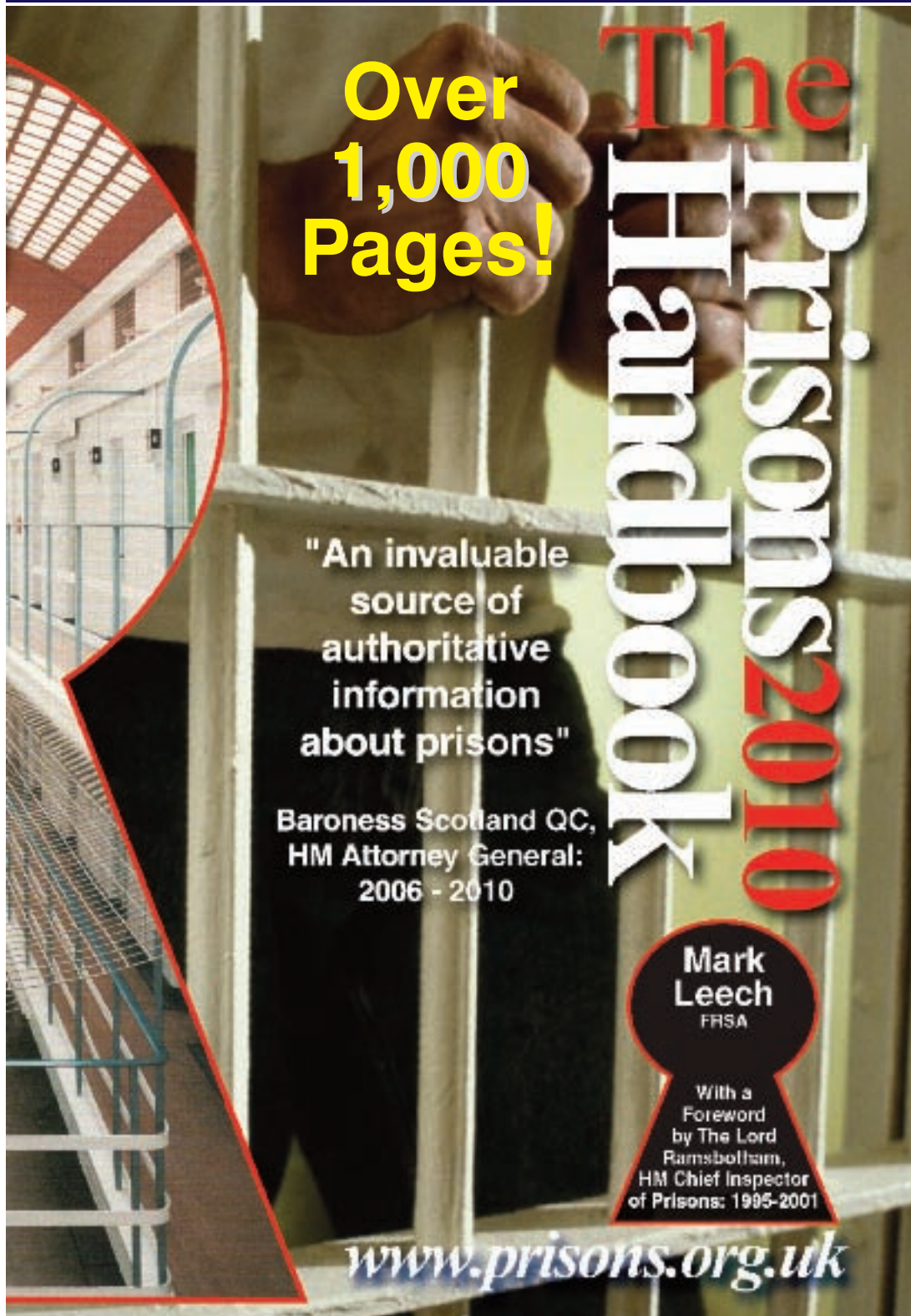
CCRC
Criminal Cases Review Commission

now thanks to advances in DNA techniques. Mr Earle was jailed for life after being convicted of the savage murder of Mr Halliday, 67, at a barn near the picturesque Embleton beach, in Northumberland.

The 44-year-old has always protested his innocence but failed in an attempt to clear his name at the Court of Appeal in 1999. Now the CCRC have ruled there is 'a real possibility' he may have been the victim of a miscarriage of justice.

The CCRC have handed Earle's case over to the Court of Appeal, where they will review the new evidence. The CCRC only refers cases to the Court of Appeal when it believes there is a real possibility the appeal court will find the conviction to be unsafe, or the sentence unfair.

A CCRC spokesman said: "We have considered new scientific evidence and on the strength of that, we have referred the case back to the Court of Appeal, because we



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Sex Pest Traffic Cop Jailed



A traffic patrol police officer who used his position of authority to ask women for sex while on duty has been jailed for three-and-a-half years.

Jamie Slater, 33, offered to excuse driving offences if the women agreed to meet up with him or give him their mobile phone numbers, Cardiff Crown Court heard. He was convicted of misconduct while in public office.

The South Wales Police constable also used the force's database to retrieve personal details about his victims. One woman was driving with only a provisional licence when Slater pulled her over, the court was told.

Peter Davies, prosecuting, said: "Mr Slater told her he would have to retain and impound the motor car she was driving.

"This caused her to be upset and she began crying. It was at that point Jamie Slater told her if she would give to him her mobile number he would not cause the car to be retained. She agreed to do so."

The court heard they began a consensual affair and on one occasion the pair met for sex while Slater was on duty and he received an emergency call on the police radio.

The police officer, of Port Talbot, South Wales, became involved in a high speed chase while the woman was hiding in the car, the court was told.

When her husband found out about the affair Mr Slater retrieved his details from the police database and sent him taunting messages, Mr Davies said.

One victim was pulled over when she drove through a red light and gave Slater her phone number because she was scared of the consequences of refusing, the court was told.

He later sent her graphic text messages.

Mr Davies said: "She was left scared and upset and said she will never get into a police vehicle again, having lost faith in the police force."

The barrister said all Mr Slater's victims felt powerless to do anything because he was a police officer in uniform.

Sentencing Slater, Mr Justice Lloyd Jones said he acted in "a particularly predatory manner."

He added: "These offences were deeply stressful to the victims.

"They felt powerless because you were a police officer.

"Your activities have caused immense damage to the public confidence in the police."

Mr Davies said Slater sent goading text messages to the husband of one woman after getting his number from the police database.

He said: "He began sending texts taunting him saying: 'I'm f***** your wife....'"

On another occasion, Slater pulled over a woman and told her he would impound her car for driving without insurance.

He said if she agreed to meet up with him he would see she got her car back without having to pay for the cost of the recovery. The woman later told police: "It was a complete abuse of trust by someone in authority," the court heard.

Mr Davies said Slater sent her text messages asking her to wear stockings, saying he was aroused.

He later sent her messages telling her where she had been that day and what she was wearing. He also sent her a photograph of her driving her new car. The barrister said: "She felt she was effectively being stalked. He would pull up in a patrol car outside her place of work and remain there for 20 minutes."

He later sent her a message saying: "I hope you burn in hell with your husband."

He sent another woman, who he pulled over for driving through a red light, messages saying: "Will you have sex with me today?"

The court also heard Slater pulled over a 19-year-old girl who was speeding on the M4 motorway and told her she could lose her licence if she was prosecuted.

He said he would let her off and asked for her mobile number. The court heard he took her for drives in his patrol car and tried to kiss her and touch her leg. Another of his victims was a pregnant woman Slater had never met.

He sent her a message saying: "Fancy meeting up for some sexy fun?"

The woman declined but Slater persisted. She eventually agreed to a meeting so she could find out who had been contacting her, the court heard.

When she arrived at the meeting place a police car pulled over and an officer asked her for directions.

The court heard that Slater was driving the car.

He later texted her saying: "Did you used to be a working girl? How much do you charge for a f***? I want to f*** you. Will you send me a pic?"

Mr Davies said: "One day she received 35 texts with explicit requests for sex using vulgar tones."

Slater also met up with prostitutes while on duty. He contacted one asking if she wanted to join a business he was setting up selling sexual services.

He later paid her for sex.

He met another prostitute, who he used to visit frequently as a client, and tried to have sex with her.

When she refused because he had no money he later sent her an obscene text message.

Tom Crowther, mitigating, said Slater, who used to be a chartered surveyor, had always wanted to be a police officer.

He said: "It is perhaps a truism that wanting something is more compelling and satisfying than achieving it."

He told the court that Slater, who is married with two children, suffered from depression and had financial difficulties prompting him to set up a driving school to make extra money.

Mr Crowther added: "Underneath the uniform was a very insecure and unhappy man."

He said it was clear Slater would never work in the police force again and told the judge: "The opportunity to offend came from a position of authority."

"It is plain he will never again hold a position of authority."

Tom Davies, Independent Police Complaints Commissioner for Wales, said Slater was dismissed from South Wales Police in December.

He said: "Slater was a disgrace to all who work for the police service and abused the position of trust a serving police officer is given."

He added: "Slater was a rotten apple and acted alone."



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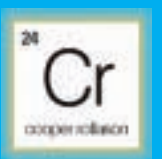
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Car Scam Met Cop Jailed

Her Prison Officer Boyfriend Awaits Sentence



A former police officer was jailed for two years today for her role in a lucrative car-ringing and drug-smuggling crime syndicate.

Former Met constable Hayley Cloud, 27, (above) was paid to access confidential police records as part of the scam.

Southwark Crown Court, in London, heard Cloud was "indirectly" involved in the theft of "about a dozen" high value cars, including a Range Rover Sport, a Porsche Cayman and a BMW.

She also organised the theft of a damaged £60,000 Lamborghini Gallardo from a police compound in Charlton, south London.

Cloud colluded with her prison officer partner, 34-year-old Ian Cooper, to pass information to a convicted criminal, the court heard - he was an Officer at Wandsworth Prison.

Judge Geoffrey Rivlin QC, sentencing, told Cloud: "This was a grave and far-reaching breach of trust on your part, highly damaging to the reputation of the police force."

Cloud pleaded guilty to offences of theft, handling

stolen police radios and conspiring to commit misconduct in public office.

She was paid a total of £5,000 for helping the syndicate, including £3,000 for securing the release of the stolen Lamborghini.

Prosecutor David Durose said the offences happened between March 2008 and April 2009.

He said Cloud, who joined the police in July 2002, was part of an "organised criminal network".

Cloud sent a fax to the police compound in Charlton saying the owner had been contacted and instructing that the Lamborghini be released for collection.

"The contents of that fax, needless to say, where not true," said Mr Durose.

The sports car was allegedly later collected by one of her associates, who cannot be named for legal reasons.

She also accessed and altered records of stolen vehicles on the police national computer so they were no longer registered as stolen.

Initially, she handed the information to her partner,

who passed it on to a serving prisoner at Wandsworth Prison. Later, she contacted the prisoner directly.

Cloud was not involved in the wider activities of the criminal network, which included the ringing of cars, drug smuggling and taking "contraband" items into a prison, the court heard.

But she aided the gang by providing confidential information and passing on police radios.

Kevin Baumber, mitigating, said Cloud's relationship with Cooper, who is awaiting sentence for his part in the crime, had "broken down following the stress of the case".

He said they were looking for an "exit strategy" relating to the house they shared in Orpington, Kent.

"She is genuinely contrite for what she has done," said Mr Baumber. "Miss Cloud recognises her wrong-doing and is ashamed."

He said Cloud had "significant debts" and was tempted by the lure of "easy money".

But she "did not contemplate the seriousness" of her actions.

Cloud, sacked in April after her guilty

pleas, was taking anti-depressants, the court heard.

Jailing Cloud, Judge Rivlin said: "There must be a deterrent sentence in this case."

He added: "It's the briefest of summaries to say that your involvement in that offence contributed to the theft of a number of high value motor cars."

Sim Card Rapist



A chef who raped a 17-year-old girl and then chewed her SIM card to stop her calling for help has been jailed for eight years.

Michael Wheeler, 23, threatened the teenager with a knife and kept her captive at his home in Southend, Essex,

for several hours in November 2009, said Crown Prosecution Service (CPS) officials.

A CPS spokeswoman said Wheeler was jailed at Basildon Crown Court after a jury found him guilty of raping and falsely imprisoning the terrified girl.

He had denied both offences. The spokeswoman said Wheeler admitted criminal damage.

"Wheeler had... disabled his victim's mobile phone, by chewing the SIM card, to prevent her calling for help," added the spokeswoman.

"He then forced her to rip up over 60 items of her own clothing, including blouses, skirts, trousers, underwear and shoes."



Venables on Child Porn Charges



appear in court next month charged with child porn offences.

Venables, 27, is expected to enter his pleas to two charges through a prison videolink to the Old Bailey on July 23.

They allege he downloaded 57 indecent photographs of children on to his computer, and in doing so, made seven images available to others on the internet while the process was taking place.

The charges could not be

J o n Venables, one of the killers of t o d d l e r J a m e s B u l g e r, will

reported until now because of an injunction imposed by in May which was lifted following an application by the media.

Gavin Millar QC, for the director of public prosecutions Keir Starmer, said he would read the charges for the record of proceedings. He said: "A man known as Jon Venables has been charged with two offences."

Venables was accused of downloading on to his computer 57 indecent photographs of children between February last year and February this year. Mr Millar said a list of the photographs was on a schedule before the court.

Venables was also charged with distributing seven indecent

images of children through the internet between February 1 and 23 this year. Mr Millar said that the use of particular software meant the images had been exposed to "acquisition" by other net users searching for such material.

"There is no evidence that anybody did acquire them by that route," he added.

Venables and Robert Thompson were jailed for life for the 1993 murder of two-year-old James, who was led away from a shopping centre in Liverpool by the then 10-year-olds. They were jailed for life but released on licence in 2001 and given new identities. Venables was recalled to prison last February.

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Judges in 'Blair Cover Up'



Senior judicial officials have been accused of attempting to cover up the findings of a top level inquiry into comments by Cherie Blair as she spared a violent criminal jail.

The National Secular Society (NSS) made a formal complaint after the wife of former prime minister Tony Blair told a devout Muslim he would not go to prison because he was a "religious person".

The comments, which were made by Mrs Blair as she sat as a part-time judge at Inner London Crown Court, were considered by the Lord Chancellor, Kenneth Clarke, and the Lord Chief Justice, Lord Judge.

A statement released by the Office of Judicial Complaints (OJC) said her actions "did not constitute judicial misconduct" and "no disciplinary action is necessary", suggesting Mrs Blair had been cleared.

But a letter sent directly to the NSS marked "restricted - personal" said Lord Judge and Mr Clarke ruled the complaint was partly upheld and "expressed some concern" about the impact of her comments.

It also said Mrs Blair would receive "informal advice"

from a more senior judge about her comments, although it claimed this was not a "formal disciplinary sanction".

Keith Porteous Wood, who leads the NSS, accused the watchdog of a "cover-up", making a "partial and misleading statement" and of trying to "silence" his organisation with an intimidating letter.

He said: "Advice we received throws doubt on the OJC's

right to seek to make its adjudications on our complaint confidential, especially in a case where it itself has put such an incomplete account of its findings into the public domain.

"It is worrying that a decision made by the Lord Chancellor and the Lord Chief Justice should be so deliberately concealed in this way. What happened to justice being seen to be done?"

Questions were raised after Mrs Blair, who sits as Cherie Booth QC, told Shamsi Miah he would not go to prison after breaking a man's jaw during a row over queue-jumping in a bank "based on the fact you are a religious person".

The OJC launched an inquiry after receiving "a number of complaints" that followed press coverage of the hearing in February. It issued a media statement on June 10 as a letter to the NSS was in the post.

In it, OJC case worker Sabrina Bailey wrote: "Having

"I won't be sending you to prison for breaking this man's jaw based on the fact that you are a devout Muslim, a religious person"

Cherie Blair

taken all matters into consideration and in response to your specific complaint, the Lord Chancellor and Lord Chief Justice have expressed some concern about the impact Recorder Booth's comments may have had on the public perception of the judiciary and the sentencing process.

"All judges must, of course, be very mindful of how they express themselves when dealing with sensitive issues of equality and diversity (including religion, race and sex) so as not to create the impression that some individuals can expect more leniency than others."

Speaking about the letter, Mr Porteous Wood added: "It should be noted that the facts we alleged in our

complaint are not disputed

and that the Lord Chancellor and Lord Chief Justice

have shared our concerns over this case.

"We welcome them stating their concern that remarks should not be made in court that could be thought to imply that defendants should be treated differently because of their religion or belief.

"This is a timely reiteration of the fundamental of justice that everyone should be treated equally by the courts whatever their religion, or lack of it."

An OJC spokeswoman said: "The Lord Chancellor and Lord Chief Justice were concerned about the potential impact on both the public's perception of the judiciary and the sentencing process caused by the way Ms Booth's sentencing comment was

expressed and reported in the media.

"In this case they were satisfied that there was no misconduct. However, it is always open to the Lord Chancellor and Lord Chief Justice to give informal advice to any judicial office holder when they consider it appropriate.

"Such advice is not a formal sanction and does not constitute disciplinary action and, as a matter of course, when advice is given it is not made public.

"Having looked again at the letter sent to the complainant in this matter, which openly outlined the actions taken in response to the complaint made, we agree the difference between disciplinary sanction and informal advice was not clearly explained.

"We will ensure this is made clear in future."

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Full Cop Team Investigated

An entire neighbourhood team of police officers and staff in south-east London is under investigation over claims of criminal offences and misconduct.

Anti-corruption investigators are looking into allegations against all six members of the Mottingham and Chislehurst North unit in Bromley. The inquiry follows the arrest of a police community support officer (PCSO) on suspicion of supplying class A drugs on June 15th.

The PCSO, who has since been suspended, was also arrested on suspicion of misconduct in public office and harbouring an offender.

A woman police constable, a second PCSO and a member of the public were arrested on Tuesday by members of the Met's Directorate of Professional Standards. They were held on suspicion of misconduct in a public office and attempting to pervert the course of justice.

The second male PCSO was questioned over

claims he undertook police checks on people on behalf of his colleague arrested on drugs allegations. The woman Pc was arrested on suspicion of falsifying information about speeding points on behalf of her partner. This is not linked to the drug-dealing inquiry.

Three others, a male sergeant, a male Pc and a male PCSO, all in their thirties, have been formally notified they are subject to a misconduct investigation. This centres on claims they failed to undertake their duties properly, including allegations they did not spend enough time on patrol. The PCSO has been suspended and the sergeant and constable have been placed on restricted duties. This is not a criminal inquiry.

Three further suspects, none of whom are Met employees, were also arrested last week on suspicion of conspiracy to supply class A drugs. The trio, all men aged in their twenties, have been



released on police bail to various dates in August.

There are 22 safer neighbourhood teams, responsible for dealing with crimes that matter most to residents, in Bromley. The Mottingham and Chislehurst North team, based in Chislehurst High Street, has been targeting antisocial behaviour, burglary and dog fighting.

Bromley Borough Commander Charles Griggs said other safer neighbourhood teams will undertake their duties while the inquiry takes place. He said: "It's only right that the Met carries out investigations when there are suggestions that officers or staff have acted in a way that does not meet the standards we and the public expect.

"I want to make it quite clear that whilst cases of alleged wrongdoing give cause for concern, the vast majority of my staff in Bromley, and indeed officers and staff across the Met, work with professionalism, diligence and integrity to provide the public with the policing service they expect."

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Beleaguered Top Cop Faces Second Inquiry



A North Yorkshire chief constable who is being investigated over allegations that he helped relatives in a police recruitment exercise could face another inquiry, it has been disclosed by the Police Watchdog.

North Yorkshire Police Authority has asked the Independent Police Complaints Commission (IPCC) to investigate an allegation that chief constable Grahame Maxwell tried to help a colleague's wife get a job with the force in 2007.

The independent police watchdog said it would look into the allegation before making a decision about whether to launch an investigation.

Mr Maxwell is already being investigated by the IPCC over allegations that he gave assistance to one of his own relatives and a relative of deputy chief constable Adam Briggs during a recruitment exercise in February.

Mr Briggs is also being investigated over these claims.

The new allegation is believed to concern an attempt by Mr Maxwell to approve a transfer request from Mr Briggs' wife, a police officer, from West Yorkshire Police shortly before he became chief constable with the North Yorkshire force in May 2007.

Mr Maxwell had not formally taken up the post at the time and the transfer did not take place. The referral to the IPCC does not involve Mr Briggs.

Jeremy Holderness, chief executive of North Yorkshire Police Authority, said: "North Yorkshire Police Authority can confirm that it has recorded an allegation of potential misconduct against the chief constable in connection with a request from an individual to transfer to North Yorkshire Police in 2007.

"The authority can confirm that no such transfer took place and the allegation concerns events which took place before the chief constable took up his post.

"Nevertheless, in the interests of openness and transparency for all concerned, the authority considers it appropriate to refer the matter to the IPCC for an independent assessment of the allegation."

An IPCC spokesman said: "We can confirm we have received a referral from North Yorkshire Police Authority concerning a recruitment matter relating to the chief constable.

We are carrying out an initial assessment of available information before making a decision on whether an IPCC investigation is required into this matter."

A North Yorkshire Police spokesman said: "This matter is being handled by North Yorkshire Police Authority and the Independent Police Complaints Commission. It would be inappropriate for North Yorkshire Police to comment."

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Police Apology For Wrongful Rape Conviction: “Too Little, Too Late”



have been challenged by detectives. The IPCC also turned its fire on the CPS, accusing it of failing to disclose the woman's medical history and a previous conviction to the defence.

Northamptonshire Police Deputy Chief Constable Derek Talbot apologised to Mr Blackwell in person earlier this week. But the 40-year-old, from Woodford Halse, Daventry, Northants, said: "It's too little, too late. At the end of the day it was just a token gesture.

"Life goes on. I almost stepped back into work straight away, you've got to get on with these things.

"It's been frustrating the length of time it has taken to draw a line under it and I don't think I'm quite there yet."

He said the report was "damning" and that he was taking legal advice on whether or not to bring a damages claim against the force.

Commissioner Amerdeep Somal said: "As the Court of Appeal has ruled, Warren Blackwell was subject to a

A man who spent more than three years in jail for a crime he did not commit has described an apology from the police force that helped convict him as "too little, too late".

Warren Blackwell - above with his wife - was jailed in 1999 for a sex attack outside a social club.

His conviction was quashed by the Court of Appeal in 2006 after new evidence undermined the credibility of the complainant.

Now a report by police watchdog the Independent Police Complaints Commission (IPCC) blasted Northamptonshire Police for its handling of the case.

It unveiled a catalogue of errors made by officers which contributed to the miscarriage of justice.

Information the force failed to disclose included concerns expressed by an officer from another force to a detective about the alleged victim's reliability, saying previously she had seemed to "enjoy police attention".

Notes taken by the Northamptonshire detective referred to her as "unreliable" and "unstable", but there was no evidence to show this information was ever passed to senior officers or the Crown Prosecution Service (CPS).

And while Mr Blackwell was in prison, a detective failed to make senior officers and the CPS aware of more information about false complaints by the same woman with striking similarities to Mr Blackwell's case.

There were also a large number of serious discrepancies in her accounts which seemed not to

terrible miscarriage of justice.

"Nothing can bring back the three years four months he wrongly spent in prison.

"I am dismayed that Northamptonshire Police has taken so long to issue an apology to Mr Blackwell that he has patently deserved."

She said a request that the Chief Constable withdraw a commendation given to the detective constable by the former Chief Constable for the original investigation, had not happened.

She also expressed her "deep dissatisfaction" for the "unacceptable" length of time the force had taken to resolve disciplinary matters.

"On top of weaknesses in the original police investigation, a detective failed to disclose to senior officers, the CPS or the defence, crucial information about the credibility of the complainant - all factors

"On top of weaknesses in the original police investigation, a detective failed to disclose to senior officers, the CPS or the defence, crucial information about the credibility of the complainant - all factors which contributed to the wrongful conviction."

IPCC Commissioner Amerdeep Somal



which contributed to the wrongful conviction." Commissioner Somal also expressed her "deep dissatisfaction" with the "unacceptable" length of time the force had taken to resolve disciplinary matters.

The IPCC probe found failings by three officers who had a case to answer on misconduct grounds. But the CPS proposed no criminal action should be taken, the IPCC said.

It criticised the force for taking more than a year to finalise an apology and resolve these disciplinary matters - by which point one officer had already retired.

Two others, a detective chief inspector and a detective sergeant, will now receive management words of advice.

A spokesman said the watchdog handed its report to the force in March 2009.

Mr Blackwell said the fact that one officer had

"escaped" disciplinary proceedings by retiring was "disgusting".

"He is now untouchable," he said.

Mr Talbot said: "Northamptonshire Police acknowledges and regrets that some aspects of the investigation and handling of information, which emerged after Mr Blackwell's conviction in 1999, fell well below the required standard."

The complainant said she was attacked in the early hours of January 1 1999 after leaving a New Year's Eve party at a social club. Mr Blackwell was convicted in October 1999 at Northampton Crown Court.

In March 2002, the Court of Appeal denied him leave to appeal and increased his sentence from three to five years.

In June 2004, the Criminal Cases Review Commission, which investigates possible miscarriages of justice, asked Northamptonshire Police to assist in reviewing the case and the conviction was subsequently referred back.

The IPCC launched its own investigation three years later.

Mr Blackwell spent three years and four months in jail.

As an alleged victim of a sex crime, the woman would usually be subject to life-long anonymity but was identified as Shannon Taylor in 2006 by a Labour peer who used parliamentary privilege to name her.

Lord Campbell-Savours spoke up in the House of Lords out of "outrage" over the case, which had seen Mr Blackwell unfairly jailed for more than three years.

Inmate Cancer Damages Quashed



A south London woman's claim for damages after doctors failed to diagnose her breast cancer while she was in prison has been quashed by appeal judges.

Cheryl Carter, 34, of Brixton, successfully sued in the High Court for negligence over treatment she received while at Cookham Wood prison in Kent in 2005.

But now three Court of Appeal judges have allowed an appeal by the Ministry of Justice and she will no longer be able to claim damages at a hearing that was set for next month.

Her cancer was discovered after she left prison in 2005 and she underwent a mastectomy a year later. Lord Justice Leveson said doctors employed by the prison had found no abnormality and referral for a specialist opinion was not mandatory in the circumstances.

Allowing the appeal, he said: "I add only that I reach that conclusion with regret and very real sympathy

for Ms Carter, recognising, of course, that this feeling will provide absolutely no comfort to her."

Sir Scott Baker said the "natural sympathy" of the High Court judge who made the finding of negligence had led him to a conclusion that was not sustainable in law.

Ms Carter had complained of a lump on her breast three times but was never referred for specialist treatment, the High Court judge, Sir Christopher Holland, was told at a hearing earlier this year.

Lord Justice Leveson said the High Court judge had found that Ms Carter had attended the health clinic in prison for "all manner of complaints" and that the wariness of the medical staff to accept those complaints at face value "would not be surprising". The High Court judge had found that any lump was

not detectable from March to May 2005 but she would have been referred to a specialist if a doctor had investigated her previous two complaints about her breast. Lord Justice Leveson said he could see no reason for the High Court judge to conclude there was a breach of duty by the doctor.



Chopper Escape Plot Foiled



A lifer's plot to escape from jail on the Isle of Wight using a helicopter has been foiled by prison officers and the police, the Ministry of Justice has said.

Brian Lawrence, from Hermitage, Berkshire, who was convicted of killing a friend of his ex-lover and hiring a hitman to kill two others, then hoped to use the Isle of Wight Festival as cover once free from Parkhurst prison on the island.

The 67 year old communicated with his accomplices using lemon juice as invisible ink and codes hidden in sudoku puzzles.

In the letters he drew maps and gave encrypted instructions for his plan to bring a helicopter into a part of the prison grounds not protected by nets. He intended to fund the escape plan using the sale of a quarry in Newbury, Berkshire, worth £500,000.

But the plot, which had the aim of reaching Spain, was uncovered when prison staff spotted the phrase "more heat, less light" in one of his letters.

They then found the invisible messages which can be seen when the paper is heated up from underneath. Lawrence, who is serving a life term, was then transferred to another prison.

Barry Greenberry, governor of HMP Isle of Wight, which is an amalgamation of Parkhurst (above), Albany and Camp Hill prisons, said:

"I am delighted at the way our security team and Hampshire Constabulary have foiled a possible escape attempt.

"I am very proud of the operations team at HMP Isle of Wight who diligently pieced together intelligence to stop a security breach."

Lawrence, a retired schoolteacher, was found guilty at Reading Crown Court of battering a friend of his ex-lover Korean War veteran Deryk Cox, 69, to death before setting fire to his house in Caversham, Berkshire, in 2003.

He then set out to hire a hitman to kill two other people.

Short Jail Sentences 'Just Don't Work'

A union has urged the Government to invest in "intensive" community orders as a way of saving money and cutting re-offending.

Napo, the probation union, said at least 74% of prisoners serving terms of less than 12 months were reconvicted within two years.

But this figure drops to 50% for those placed on probation, and falls further to 34% for those handed intensive programmes, Napo said.

The union said around 55,000 people a year currently receive jail terms of six months or less, with no possibility of rehabilitation, at an annual cost of £350 million.

But the price to the taxpayer would be between £50 million and £60 million to supervise the offenders in the community, the union said.

Instead of cutting probation budgets, the union said the Government should spend the additional £50 million to £60 million on up to 1,250 extra probation staff to supervise

programmes for offenders.

Programmes deal with violent offending, alcohol and substance abuse, anger management, domestic violence and sex offending.

Napo assistant general secretary Harry Fletcher said: "Currently, 55,000 people receive custodial sentences of six months or less, where no rehabilitation is possible and there are extremely high re-offending rates.

"This costs the taxpayer at least £350 million a year.

"As an alternative, the majority of these individuals could be supervised

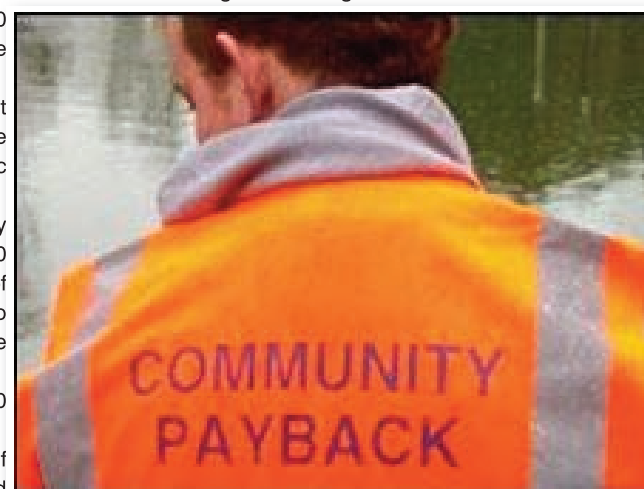
in the community on intensive programmes costing between £50 million and £60 million a year.

"Not only would this option be cheaper, but the reconviction rates would be much lower.

"It does seem extraordinary, therefore, that the Government is actually cutting probation budgets, which is bound to lead to more, not less, custodial sentences, worse reconviction rates and therefore more victims."

Napo said the main offences committed by those given short-term custodial sentences were actual bodily harm, theft, motoring offences and possession of indecent images.

A Ministry of Justice spokesman said: "We will conduct a full assessment of sentencing policy to ensure that it is effective in deterring crime, protecting the public, punishing offenders and cutting re-offending."



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The Scandal Of How We

By Army Veteran and Prison Officer, Mike Herstell

Through the so-called Military Covenant. Britain has long proclaimed its acknowledgement of a 'duty of care' towards its armed forces – but all the evidence suggests that it is a duty of care that has not simply been broken but completely disregarded – and the consequence is that today thousands of former veterans are languishing in our jails.

What is the Military Covenant?

The Bill of Rights in March 1689 was a declaration of right presented to King William and Queen Mary, among other things it prohibited the Crown from maintaining a standing army – instead soldiers were to be 'recruited'.

The 'Military Covenant' itself is nowhere enshrined in law, in fact successive Armed Forces Acts guarantee no such covenant and neither do the terms of enlistment served on new recruits.

Like so much in the invisible 'British constitution' there are many things that are unstated but which are universally held to exist – the absence of a written military covenant therefore does not mean that it does not exist – indeed the 'Ministry of Defence' explicitly defined the Covenant in 2000 when it said: "Soldiers will be called upon to make personal sacrifices — including the ultimate sacrifice in the service of the Nation ... In return, British soldiers must always be able to expect fair treatment, to be valued and respected as individuals, and that they (and their families) will be sustained and rewarded by commensurate terms and conditions of service."

That in essence is the Military Covenant, which acknowledges that Britain therefore does have a 'duty of care' to its armed forces. While it began as an unspoken pact between society and the military, possibly originating as far back as Henry VIII's reign, the pact was formally codified as a 'covenant' and although it is not law, it has been reinforced by custom and convention.

In April 2000 the 'Covenant' entered into political discourse as a way of measuring whether the government and society at large have kept to their obligations to support members of the armed forces, adequate safeguards, rewards and compensation for military personnel who risk their lives in obedience to military orders derived from the policy of the elected civilian government. It is argued that armed forces personnel can expect to be treated fairly by the Crown and expect the support of the nation, society and the government – but has it really lived up to that pact?

In September 2009 the National Association of Probation Officers, NAPO, published figures that sent a shudder through government, stating that their research showed some 20,000 former veterans were under the control of correctional services in England and Wales; some 8,500 veterans were said to be in custody, with a further 12500 subject to probation or parole.

In January 2010 the Defence Analytical Services and Advice (DASA), part of the Ministry of Defence, produced a report detailing a study carried out by DASA Health Information, in collaboration with the Ministry of Justice, to determine the proportion of prisoners in England and Wales who are ex-Service personnel.

An estimate of 3% was obtained by matching a database of all prisoners (aged 18 and over) on 06/11/09 with a database of Regular Service leavers going back as far as records were available - 1979 (Navy), 1972 (Army) and 1968 (RAF). DASA state that this provides the most comprehensive and up-to-date estimate currently available. However they conceded that the study was based on two administrative databases and added "further work will look at the effect of the incompleteness of the MOD database, and describe the ex-Service prison population in terms of age, gender, Service branch and offence type."

Whichever set of figures are accurate, and with a constantly changing prison population it is difficult to

give a definitive answer, the fact remains that former armed forces veterans are the largest occupational group within prisons, their offences show a high propensity to drug and alcohol misuse, their offences are predominantly offences of violence rather than dishonesty and yet little is done to either help them or acknowledge that they exist.

And it is not just former armed forces veterans who are let down by the Military Covenant not being honoured –

serving soldiers and their families too are largely ignored.

The Military Covenant in essence requires that we show respect to our armed forces and nowhere can this be more important than when we send them into battle.

Primary among this must be a recognition that when we ask soldiers to make the ultimate sacrifice in safeguarding our freedoms that we ensure they have not only the best equipment that we can provide but also in sufficient amounts to ensure they do not run short – but this has not been honoured.

In 2008 two coroners launched an excoriating attack on the lack of basic equipment in the Armed Forces, blaming poor resources for contributing to the deaths of three soldiers in Afghanistan and Iraq. Two

separate inquests heard criticism of the decision to let troops fight without the necessary protection. One coroner demanded a review into Government defence spending.

To make matters worse, Des Browne, the then Defence Secretary, was accused of "massive insensitivity" after announcing new night vision technology on the same day that the glaring gaps in provision were highlighted. Capt James Philippon, 29, of St Albans, Herts, was the first British soldier to be killed in Helmand province. He and his colleagues were sent to fight the Taliban

without night vision goggles and without adequate machine guns or grenade launchers. Oxford coroner's court heard that the soldiers, who had been dispatched on a rescue mission of colleagues, were forced to share three Night Vision Goggles (NVGs) between at least 20 men before being ambushed in June 2006.

Andrew Walker, the coroner, said the "totally inadequate" resources led to them being "outgunned

slung grenade launchers, Major Jonathon Bristow, the commander of the patrol, told the court: "It would have made a hell of a difference. We lost the initiative through a lack of firepower and thus the Taliban had a greater weight of firepower."

The patrol stumbled on a group of Taliban in the dark and Capt Philippon was killed with a shot to the head in the opening salvoes of the battle. He was not equipped with NVG. Sgt Jason Tomlinson, a patrol member from the Royal Green Jackets, described the lack of kit as "disgusting" and "inexcusable".

Capt Philippon's father, Tony, said: "I hold the MoD responsible for my son's death but in turn they were starved of cash."

In relation to the death of Capt Phillipson the MoD said: "It was deeply regrettable that a failure to follow the correct staff procedures between a requesting unit and headquarters Helmand Task Force resulted in a 25-day delay in providing night vision goggles. The department has accepted and implemented all of the Board of Inquiry's recommendations. Night vision goggles are standard issue for infantry soldiers in manoeuvre companies."

A separate inquest in Trowbridge, Wilts, heard how L/Sgt Casey, 27, from Aldershot, Hants, and L/Cpl Redpath, 22, of Romford, Essex, died when their Snatch Armoured Land Rover was hit north of the Rumaylah oilfields last August. The inquest heard that the platoon commander had asked for the more heavily protected Mastiff vehicles to be used that day but they were all being used elsewhere.

David Masters, the coroner, said: "I have a meeting next week with the Armed Forces Minister and this is an issue I intend to raise with him. I need to be satisfied that this is an issue that has been understood and dealt with."

After the inquest Mr Redpath's girlfriend, Sharon Hawkes, 50, said: "It was underfunding by the Government that killed him."

In March 2010 the then Prime Minister Gordon Brown appeared before the Iraq Inquiry and categorically denied, "starving UK armed forces of equipment." He repeatedly insisted that whilst the Chancellor of Exchequer, he had increased the defence budget every year, but later figures from the Ministry of Defence showed that defence spending fell in real terms in the years 1999/2000, 2004/5 and 2006/7, which included a period of the Iraq war.

When later asked in the House of Commons if he would correct the record, Mr Brown replied: "Yes. I am already writing to Sir John Chilcot about this issue."

And it's not just on the basic equipment levels that our armed forces have been treated abominably – the standard of accommodation and the treatment of their families has also shown huge disrespect.

In 2007 the Army's personnel chief pledged to fight for better housing for soldiers and their families. The adjutant-general, Lt Gen Freddie Viggers, said that defence chiefs must "fight our corner... to get our families what they deserve". He spoke after The BBC received photos of barracks and shower blocks with cracked walls, mildew and broken pipes. "It's a key issue in what we call the military covenant - giving our soldiers and their families what they deserve in return for what they do for us." People "must understand how poor some of this accommodation is", he added. "Our duty now is to fight our corner, in defence, to get for our families what they deserve."

The then outgoing Army head Gen Sir Mike Jackson said some forces accommodation was "frankly shaming".

Jennifer James, the mother of a young soldier who e-mailed pictures of his "shocking" barracks, said: "We treat prisoners better than our soldiers." And she's right.

That is not to say that prisoners should be housed in sub-standard accommodation, of course not – and some of them clearly are when you read the reports of the Chief Inspector of Prisons – but the public will not



by a bunch of renegades". "The soldiers were defeated not by the terrorists but by the lack of basic equipment," he said. "To send soldiers into a combat zone without basic equipment is unforgivable, inexcusable and a breach of trust between the soldiers and those who govern them."

Asked if they could have matched their attackers if they been supplied with Minimi machine guns and under-

Treat Our Own Veterans

understand why our soldiers who put their lives on the line are treated in such a shabby way as Jennifer James has made clear: She said her son had told her many soldiers were left "depressed and demoralized" because of the poor state of their housing. "He complains about the smell, the puddles and water on the floor from the leaking toilets. He just wishes he could get out of there."

Defence Minister Derek Twigg said the government had "a sustained programme of investment in accommodation". "We've spent £700m last year in improving service accommodation," he added. "We recognize there is a challenge, we recognize that the accommodation is not perfect and that we need to improve it."

But General Sir Mike Jackson hit out at a "Kafka-esque situation whereby the MoD congratulates itself on achieving an accommodation improvement plan defined by itself on what it calls affordability, but which is far from what is defined by the needs of soldiers and their families".

And what do we pay these brave men and women who we send into battle inadequately armed and for whom we provide second-rate accommodation?

In short a pittance.

The British Army Pay Rates for 2009-2010 show that on joining the army a private receives £13,377 a year or just over £250 per week before tax – when they deploy on operations they get £16,681, or an extra £60 a week.

Would you lay your life on the line for £300 a week?

Would you put your loved ones through the horrors of war in such circumstances?

And this is not a picture of an army of some years ago, as I write this in May 2010 a major Ministry of Defence survey of nearly 10,000 servicemen and women has just been published that found only a third were happy with the standard and quantity of vehicles and other major equipment they are given.

More than half said the extra money they receive to compensate for the rigours of military life was not enough, and 13% of officers said they intended to quit before the end of their current engagement.

The newly published 2009 Armed Forces Continuous Attitude Survey found British servicemen and women continued to be concerned about pay, kit, morale and the quality of military accommodation.

Many opposition politicians and military commentators have accused the Government of failing to provide UK troops fighting in Iraq and Afghanistan with enough equipment, in particular helicopters.

Commander John Muxworthy, of the UK National Defence Association, which campaigns for better support for the forces, said: "The forces are overstretched and under resourced and the effects of this chronic underfunding is increasingly being felt.

"They are going on operations more frequently, training is being cut, and rest time between operations is



getting shorter and shorter, and it's going to get worse before it gets better."

The MoD survey found just 35% of service personnel were satisfied with the standard of major equipment like vehicles and only 33% were content with the amount of it.

Royal Marines were most likely to complain about the quality and quantity of major equipment, with 41% saying they did not have enough.

Across the forces only 32% felt valued, although this was a slight improvement on 2008, when the figure



was 29%.

Some 37% said morale in their service was low, rising to 45% in the Royal Navy and 47% in the RAF.

If soldiers have problems while they are serving many soldiers have problems when their careers are over and they return to civilian life. Many struggle to cope without structure and guidance in their lives, depression, reliance of alcohol and drugs, a much smaller group of veterans suffer the symptoms of Post Traumatic Stress Disorder (PTSD).

With so many service personnel leaving the armed forces annually, estimated at 20000, they will be unaware of the agencies and the support available to them. If we are going to care and support our veterans then the inadequate system we currently have in terms of the so-called 'Covenant' needs to be overhauled and redeveloped into an up to date guidance and support network that can look after the needs and welfare of all veterans, married and single, and their families too.

The military needs to improve the counselling and advice facilities available to veterans after leaving the armed forces, by doing this will encourage positive and progressive integration to civilian life with a positive set of outcomes.

I believe that all service personnel need to have access to specific agencies six months prior to discharge from the armed forces, regardless of time served, a systematic process designed to get the best service

from providers needs to be put in place to evaluate each individual's specific needs:

Welfare Benefits

Housing

Educational/Vocational skills training

Employment/Job seekers advice

Budgeting/Debt management

Alcohol & drug therapy programmes

Relationship, social & Life skills,

Domestic violence courses (Perpetrators/Victim awareness) Anger management & Cognitive therapy programmes

With specific agencies /service providers in place to develop individuals specific needs they will have a better chance of resettlement and re-employment.

An ongoing support and advice network will in time be a crucial benefit to not only the MOD, but especially for the resettlement of all veterans back into civilian life.

The 'Covenant' is an important part of a soldier's future, by resettling a veteran back into civilian street from being a highly trained individual, will society reap the rewards of conscientious law abiding and hardworking individuals, hopefully this extra assistance from agencies will make the transitional period from soldier to civilian a little easier with the added knowledge of access to additional agencies after demob, with this help it may make the difference between a veteran becoming homeless or worse...going to prison.

It is not hard to envisage such a comprehensive Covenant for our armed forces; indeed the USA does it remarkably well already.

The American armed forces not only get the financial rewards when they serve their Nation on active service, they also have fantastic support that they and their families can benefit from fully when they are on operations. What's more they also continue to be valued and looked after when they have been discharged into the Veteran Communities, the American government has a system in place through the 'United States Department of Veterans Affairs' which is proving to be very successful when resettling veterans into their communities.

It has always been well documented that the Americans are head and shoulders above every other Army when it comes to equipment and technology, the American Government not only provides their Armed Forces with the best equipment at no expense saved whilst on operations but also it looks after them and their families after they leave.

In the UK the 'Covenant' is obviously not accomplishing what the American Government has truly been successful at, with US service personnel and their families being well looked after and living in suitable quarters, the single soldiers are billeted in high standards of barracks where they have access to good medical facilities and support, in addition to the compensation and retraining packages for injured personnel that is truly excellent.

In terms of treating the Army fairly with pride and respect, the American Government have got it right,

they have allocated billions of dollars to safeguard the sacrifice and commitment they have shown to serve and protect America, a \$1.4 billion fund has been allocated and aimed at putting Veterans back to work through the 'American Recovery and Reinvestment Act (ARRA), the monies invested have been set aside to target programmes across the country which are of interest to the veterans and meet their specific needs – what have we done in the UK?

Nothing. Zero. Zilch – the centre of a donut to be exact and that simply cannot go on.

'The United States Department of Veterans affairs' have developed an excellent and effective system of looking after 'all' their veterans needs after discharge, and the British Armed forces 'Covenant' should be redeveloped enabling it to deliver a similar package to achieve the same goals; I believe the British Government would achieve so much if they adopted the same model.

Here are some examples that the Veterans Agency offer to the US veterans who served their nation, with many more benefits and rewards.

· Housing: The Department of Veterans Affairs assists veterans with property issues and loans. They help Veterans to get into rented accommodation; the Veterans agency also invests funds to build Veterans Homes all over America

· Welfare Benefits: A variety of Benefits' and services are provided to offer financial and other forms of assistance to Veterans, their dependents, and survivors. Major benefits include Veterans' compensation, Veterans' pension, survivors' benefits, rehabilitation and employment assistance, education assistance, home loan guaranties, and life insurance coverage.

· Educational and Vocational skills Training and Employment: A wide range of courses are available to applicants, an evaluation is conducted to meet their specific needs and to determine their abilities, there is also assistance given for re-employment on the job skills training, apprenticeships and ongoing counselling. There are also opportunities for further education at college, Technical or Business Schools

· Medical, alcohol and drug therapy programmes: The healthcare systems in place offer a variety of services, information, and benefits. It has 21 integrated service networks across the USA; It operates more than 1,400 sites of care, including hospitals, community clinics, community living centres, domiciliary, readjustment counselling centres, and various other facilities.

The American Government is very supportive of its nations Army, and reflects this through the Veterans Agency and the funding it puts aside to ensure that they benefit.

The Department of Veterans Affairs (VA) was established as a Cabinet-level position on March 15, 1989. President Bush hailed the creation of the new Department saying: "There is only one place for the veterans of America, in the Cabinet Room, at the table with the President of the United States of America."

Hear Hear.

Why then are they banned from Downing Street?

Mike Herstell is the pseudonym for a serving member of the Prison Service and a former Armed Forces Veteran.



Spotlight on HMP BRISTOL

USING THE HUGE RESOURCES OF THE PRISONS HANDBOOK EACH MONTH WE SPOTLIGHT A DIFFERENT PRISON



CAMBRIDGE ROAD, BRISTOL BS7 8PS

Tel: 0117 3723100. Fax: 0117 3723013

Opened 1882. CAN: 548; Op.Cap 614.

Cat: MALE LOCAL. Insig: BL. Area: South West.

BACKGROUND: Originally opened in 1882 to serve the Bristol locality, the prison comprised a brick perimeter wall and gatehouse, with inner fence enclosing 2 x 4 storey brick cellblocks with ancillary buildings. The prison has remained in use ever since. Over the years considerable rebuilding and re-structuring has taken place, to the point where all available space inside the perimeter wall has now been used. Bristol takes adult and young prisoners, Remands and Convicted prisoners and is endeavoring to build closer links with the community. HMCIP published their latest (largely positive) report in June 2010 - see below.

KEY OFFICIALS:

Area Manager:

Governing Governor: Kenny Brown

Head of Healthcare: Kathy Doran

Chaplain: Rev David Powe

Senior Probation Officer: Denise Pye

IMB Chair: Graham Bingham

MP: Stephen Williams MP and Bristol West

Liberal Democrats

REGIME: Week Days: 07:45 unlock, breakfast in cell, treatments, showers, phone calls. 08:30 work, education, gym. 0900-1115 legal/probation visits, exercise, cell cleaning. 1130 cease labour, dinner served by landing rota, treatment issued, lock up. 1345 work, education, gym, exercise, domestic visits. 1445- 1615 library, mail issued. 1600 cease labour/education, lockup by 16.30. 17.00-1915 unlock for evening meal, treatments, association. Gym.

Friday Pm&Weekends: 0800-0900 unlock/breakfast, showers, phone calls. 0900-1115 exercise, association, kit changes & Gym. 11.30 -1215 dinner served by landing rota, lock-up. 13.30- 16.00 association, exercise 1400-1600 Visits. 1630-17.00 evening meal & lockup
ACCOMMODATION & FACILITIES: 12 cellblocks:AWing (which holds 128) and G Wing (which holds 122), Remands and Convicted with integral sanitation. B Wing is the VDT wing housing 99 prisoners. C Wing holds 144 and is the IDTS wing. D

Wing, the Safer Custody Unit, holds 97 prisoners requiring higher levels of safety and support than can be offered on other residential locations. The Wing offers a multidisciplinary, therapeutic ethos and includes a day care centre for group work and one-to-one advice/support. F-Wing, is a resettlement wing holding 8 prisoners. Incoming mail collected from the Gate at 0930 hours, sorted and examined centrally and handed out during the day. Outgoing mail to Gate by 1530 hours and posted same day. Prisoners are placed on one of 3 levels of Regime subject to behavior and signing of compact. Launderette facility in cell wings. Outside agencies available: AA, Samaritans, Prison Visitors, etc. A self-help programme of wing painting is undertaken by prisoners under Works supervision, normally 2 per wing, painting cells, landings and association areas.

PRISON SHOP: Contract to DHL/Booker

VISITS: How to get there: By train to Bristol Temple Meads, then bus No. 8 or 9 from station to Debenhams. Then 73, 74, 75, 76, 77 or 78 to Bishop Road. No special transfer: taxi from station 2 miles. Visiting Times: Legal Weekdays: Monday to Friday 0915-1115, 1415-1615, pre-book legal visits on 0117 3723271. Bristol has been one of the pilot establishments for Video Linking between the courts and prison, allowing prisoners to make their appearances in court without losing the opportunities for domestic visits and other facilities they would sacrifice by spending hours in the court cells after a short hearing in court. Domestic Days: Monday to Saturday: Remand 1st session 1400-1500, 2nd session 1505-1605. Convicted session 1400-1600. Additionally, Monday to Friday, Safer Custody Visits 0930-1100. Sunday, enhanced Lifer

Visits, 1400-1600.

Notes: Pre-booked Domestic Visits on 0117 3723213. Canteen in Visiting Room, Children's Play Area (Supervised by voluntary workers). No smoking on visits and wheelchair access. Stair lift and wheelchairs provided for disabled visitors.

LEARNING & SKILLS: Predominantly delivered by contracted staff, learning and skills provision is over 48 weeks a year, five days a week. Part time classes are available in either the main education department or the Edshed. We provide literacy and numeracy up to level 2, ESOL, and a range of social and life skills aimed to reduce the risk of re-offending. We also deliver Art, creative writing and music technology. IT is provided either by contract staff (CLAIT, ECDL, ECDL advanced) or in PICTA (ECDL, IT Essentials 1 and 2) Peripatetic teaching is available across the prison including all wings and places of work. Those studying at level three and beyond have the opportunity to follow distance learning programmes including Open University and a small study facility is available. Full time attendance on allocated programmes, merits payment of £7.50 (including cell rate) with opportunities for a pay increase once qualifications are achieved. The library is open for 30 hours per week, 8.45-11.45 and 1.45-4.45, Mon-Fri only. Weekly access according to a timetable except for those in education who are able to access daily. Stock includes books, information, music cassettes and CDs, spoken word tapes, language courses and play-station games. The library operates as a branch of Bristol Library Service. Activities include Story Book Dads project, reading group and occasional workshops with visiting speakers. Staffed by professional librarian, learning resources officer and five orderlies.

WORKSHOPS: Shop 1 employs up to 15 prisoners and is involved in textiles (delivering mandatory qualifications in H&S and Manual Handling and optional qualifications in Manufacturing). Shop 3 provides employment for up to 30 prisoners, involved with carpentry skills and production of goods for local schools and charities (qualifications as above). SpecSave is a restorative workshop currently housed in Shop 3, providing work for up to 12 prisoners. Our recycling provision opened in late 2006 and employs up to 30 prisoners in a workshop environment and on the wings. A further 10

prisoners work as BICS cleaners. The average wage is £7.50 again with potential to earn more once qualified

GYMNASIUM SPORT: 1 x SO and 4 x PEI and work party of four. Accommodation comprises Sports Hall (with shower and changing facilities) for up to 36 prisoners, weights room and tarmac area for six-a-side football and cricket. Programmes run for prisoners across the establishment, five days and five evenings a week; As well as providing a recreational facility, prisoners are able to achieve the, Football Referees Award, BAWLA, Manual Handling, Heart Start, First Aid at Work qualifications as well as engaging in OCN Learning through Sport and Key Skills qualifications.

HEALTHCARE: HMP Prison Healthcare Centre provides a Healthcare service for prisoners serving at HMP Bristol, Leyhill, Gloucester, Shepton Mallet, Erlestoke and Eastwood Park under the cluster service level agreement. 1 x senior medical officer, 2 x full-time Medical Officers, 1 x Healthcare Manager, 1x community mental health team manager and 2 x Nurse Managers and 1 practice manager. There are 18 single cells and 1 double with integral sanitation designated as Healthcare beds, a ward for 2x cleaners and a Listeners Suite. There is provision for

Pharmacy services. The specialist consultant sessions are: Dentist x 2 sessions/week, Optician, Chiropodist and Sexual Health Clinic fortnightly.

DISCIPLINE: Bristol Prison operates a robust Anti-Social Behaviour Policy, which forms an integral part of the overall Violence Reduction Strategy. A three-tier Incentives and Earned Privileges Scheme also ensures that Discipline, Safety and Security are maintained.

FOOD: 20 prisoners work in the kitchen. Monday-Friday, choice of 4 meals for evening, and 3 for lunch. NVQ for prisoners has now been extended to include food preparation. Severy staff trained by kitchen staff.

ESTABLISHMENT REPORTS. HMCIP JUNE 2010. Bristol is a medium sized local prison, holding adult and young adult men, mainly from the west of England. It has had a mixed recent history, with a succession of short-term governors, and previous inspections have recorded a sense of drift. It is encouraging that this inspection found a prison with a sense of direction and effective management – though, like most local prisons, it still struggled to provide enough for prisoners to do. Bristol was a reasonably safe prison. However, support for prisoners in the crucial early days of custody was ineffective.

Not all prisoners were able to benefit from dedicated first night services, and the induction process was ineffective. Conversely, suicide prevention measures were strong, with some innovative aspects, such as the involvement of prisoners' families. Though violence reduction procedures were also sound, foreign national prisoners and those with disabilities felt less safe than others, and there were some concerns about the governance of use of force. There had been good work to reduce the supply of drugs and support substance-using prisoners.

Given its age, the prison was well maintained, if overcrowded. Relationships between prisoners and staff were mainly positive, though personal officer work was variable. Work had been done on all aspects of diversity, with some positive results. Nevertheless, black and minority ethnic, foreign national and disabled prisoners had poorer perceptions of their prison experience than their counterparts, and there was limited prisoner consultation. Health services were improving, with well-integrated mental health provision.

There were activity spaces for only about half the population, and four out of 10 spaces offered only menial work, leading to no useful qualifications. Nevertheless, the quality of some of the work and education was good, with effective use of prisoner mentors in some areas and improved access to PE. As we routinely find, recorded time out of cell did not reflect the experience of most prisoners, some of whom could expect only two and a half hours unlocked on a weekday: we found a third of prisoners locked in their cells during the working day. Association was extremely limited, even for a local prison.

The prison's resettlement strategy was not effectively implemented. However, there was some good work being carried out.

Offender management was sound, and would, under the new layered system, provide support also for those serving short sentences or on remand. Some of the resettlement pathways – notably drugs work and support for building family relationships – were good, but others needed further development, and prisoners were sometimes unaware of the services available.

An innovative partnership with police and probation had been set up to coordinate the safe resettlement of prolific offenders in the Bristol area.

This is a positive report on a prison that had recovered a sense of purpose and direction, despite the limitations of an old site with too little provision for purposeful activity. Managers and staff are to be congratulated on the progress made, though the gaps that remain will be harder to fill in the restrictive financial climate that lies ahead.



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NO: IT'S NOT RIGHT

THERE ARE MANY QUESTIONS ABOUT THE DEATH OF RAOUL MOAT, BUT THE SHOOTING OF AN UNARMED INNOCENT COP IS WRONG - PERIOD.

ConVerse prides itself on being a prisoner's newspaper, we make no apology about that. We point out to the public that behind every 'criminal' there is a real person, with personal difficulties, with personal problems, and the vast majority of our 85,000 readers have a real desire to resolve their problems and they each possess a genuine desire to lead a crime-free life - but also we do not pull our punches. When something is wrong, then we say that "it's wrong", and we do not shirk from that - and nor do we apologise for saying it.

Social networking site Facebook is **WRONG**.

It's on a collision course with David Cameron after it refused to take down a webpage set up in tribute to Raoul Moat.

Cameron earlier condemned those who had shown sympathy for the former nightclub doorman after he had shot three people - killing one of them.



The social networking giant said many people would find some of the topics discussed on the site "distasteful", but it added "that is not a reason in itself to stop a debate from taking place" - quite right. Facebook issued a statement after the Prime Minister David Cameron was urged by

Conservative MP Chris Heaton-Harris to contact Facebook to ask them to take down the webpage of the RIP Raoul Moat group, which he said carried a "whole host of anti-police statements".

The Facebook statement said: "Raoul Moat has dominated public debate over the last week and it is clear that there are lots of different and opposing opinions, both about Moat himself and about the investigation which surrounds him."

"These debates are being held in newspapers, online across the internet, between people in the pub, on the phone and at work."

"Facebook is a place where people can express their views and discuss things in an open way as they can and do in many other places, and as such we sometimes find people discussing topics others may find distasteful, however that is not a reason in itself to stop a debate from happening."

'Quite true' - said Mark Leech, the Editor of ConVerse: "But it's not the full picture at all."

"Converse is the national newspaper for prisoners in England and Wales and we need to make our position abundantly clear - in the last week of his life Raoul Moat caused devastation to the lives of innocent people, his final hours were driven not by lucidity but by illness; he slaughtered innocent people, he maimed and killed those who had caused him no harm: rest in peace by all means Raoul but, please, let us not for one moment believe you are a role model for anyone other than those who are in serious need of professional psychiatric help."



Farewell After Nine Years Dame Anne Bows Out



Prisons are "increasingly brittle" with difficult times ahead to deal with overpopulation and repeat offending, the Chief Inspector of Prisons has warned in her valedictory (leaving) lecture. Dame Anne said the system was not broken but progress in rehabilitating offenders was slow because of the growing prison population.

When she took up her post in 2001 the average prison population in England and Wales was 67,000. Today the number of people in custody is more than 85,000.

Dame Anne said: "Over the last nine years, prisons have become better places, this is not a broken system, but

one where considerable effort and resources have been devoted to trying to rehabilitate prisoners, drawing in resources and expertise from outside.

"But prisons have also drawn in 27% more prisoners. That is one of the underlying reasons why progress has been slow and recidivism remains obstinately high."

"We now have an inflated prison system in a shrinking state - our overpopulated prisons are not broken, but they are increasingly brittle".

She said prisons were better than they were nine years ago thanks to changes and investment made in healthcare, education and resettlement work.

But with public finances stretched, challenges lay ahead, she warned.

"And the future will be even more difficult," she said. "Not only is there no new money to deploy on immediate alternatives, the old money that has kept an overpopulated system relatively safe, decent, purposeful and incident-free is being reduced, both directly and indirectly."

Dame Anne has been succeeded as HM Chief Inspector of Prisons by Nick Hardwick, the former Chairman of the Independent Police Complaints Commission who took up his post this month.

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OAP 'Vile Con Men' Jailed



Two men have been jailed after they admitted
swindling more than £1 million out of old-age
pensioners by conning them into paying for costly
and unnecessary building work.

Moses Mead, 25, and Christopher Latty, 38, preyed

on elderly and vulnerable victims across Kent,
London, Hertfordshire and Cambridgeshire between
2007 and earlier this year, costing some of them their
entire life savings with their fraud.

One of their victims, a man in his 70s from
Bexleyheath, was tricked into handing over a total of
£522,000, while an 92-year-old man from the Medway
area was conned into paying them £230,000.

Ringleader Mead, of Springhead Road, Northfleet,
Gravesend, pleaded guilty to 11 counts of conspiracy
to commit fraud by false representation at a hearing
last month and was sentenced to four years in prison
at Maidstone Crown Court. Accomplice Latty, of
Victoria Street, Gillingham, admitted two counts of
fraud and was jailed for three years.

The court heard how Mead would often return to his
victims three years later, ringing them and purporting
to work for a firm dealing with other companies that
had gone into liquidation.

He would claim that while having a clear out he had
found a cheque made payable to the person in
respect of remuneration for being overcharged for
previous building work and to release the cheque he
required a percentage - often thousands of pounds.
However the court heard that by using this trick, he
inadvertently placed himself at the initial scene of the
crime. Latty acted as courier and was dispatched by
Mead to collect cash, often in carrier bags containing
tens of thousands of pounds withdrawn from other
people's bank accounts, the court heard.

Detective Constable Paul Walker of Tonbridge CID
said: "These were simply vile con men who preyed
on the elderly and vulnerable."

"Many of them lost their entire life savings and have
nothing left to live on - they could have been your
parents or mine, Mead or Latty didn't care."

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Swain and Co solicitors are celebrating the fact that all six members of its Prison Law Team who applied have met the strict new Legal Aid Supervisor Standards for supervising prison lawyers. These new and tough requirements were brought in to ensure that prison law work is only undertaken by teams of lawyers headed up by out and out prison law specialists with an established track record of work in prison law, including advocacy knowledge and skills.

Graeme Swain of Swain and Co said, "The heading "Six of the Best" really sums things up as far as Swain and Co is concerned. We offer specialist supervision of quality lawyers operating Nationwide.

From 14 July 2010 firms will only be able to take on new work if they have a specialist prison law contract with at least one specialist supervisor who meets the new standards. We have what we see as "Six of the Best" with great teams working alongside them.

With the new prison law supervisor standards come major changes to legal aid designed to save money. The changes mean fixed fees and much more of the work solicitors do being done by letter and telephone calls. This is because under the new rules legal aid will no longer pay travel time for visits and this restriction will only be lifted in very limited circumstances.

Lucy Gaskin of Swain and Co, Havant (Portsmouth) said, "I would not want prisoners to think that face to face visits will not take place. We realise how valuable these meetings can be, particularly in crucial issues such as parole. We are committed to arranging visits when the need arises.

"We will look at dealing with matters by telephone or video conferencing when possible and we find that in most cases this can work very effectively. Our commitment to our clients will not change but all prison lawyers will need to work within the new regime."

The new rules limit the ability of solicitors to pay for the cost of experts and barristers. Solicitors will need to obtain the authority of the Legal Services Commission (LSC) for expenses over £500. This means that in almost all cases permission will need to be obtained before reports can be obtained from experts such as psychologists and psychiatrists.

Helen Thompson of Swain and Co's London office said, "We will make crystal clear why we think this evidence is required and how crucial it is to our clients' progression or wellbeing. We are hopeful that permission will be given without difficulty but we do anticipate pressure on the hourly rates charged by experts and this may cause problems."

The new rules limit the ability to pay for advice from barristers. In most cases a fixed fee is payable and there can not be a fee paid on top to a barrister.

Swain and Co will still obtain the advice of barristers either within the fixed fee system or under Legal Aid Certificates. Helen Thompson also said, "We appreciate the need to obtain urgent advice in cases such as judicial review and compensation claims.

We will be able to support legal aid applications with short advices from Counsel where necessary. This is likely to speed things up, particularly as legal aid applications come under increasing scrutiny as a result of financial cutbacks at the LSC."

Under the new prison law regime, treatment cases are largely taken out of the scope of legal aid. From 14 July, solicitors must obtain permission before taking on cases where a prisoner complains about their treatment in the prison system. Prisoners are where possible expected to use the complaints procedure and if necessary to take matters up to the stage of the Ombudsman. Kate Riley of Swain and Co's Liverpool team said, "Our approach will be to discuss cases with our clients and we will not hesitate to apply for authority to pursue treatment cases where complex or serious issues arise. The rules very clearly allow for advice and assistance where clients have literacy problems or mental health problems. When we talk about "treatment cases" we are not talking about medical treatment. We are talking about the way prisoners are treated within the prison system. Particular care will need to be taken when looking at cases involving issues such as bullying, discrimination and so on."

The LSC has indicated that a review will be undertaken in relation to the number of treatment cases paid for by legal aid and that if substantial savings are not made law firms will be given a set number of cases they can do.

According to Graeme Swain, "The heading "Six of the Best" is relevant to recognition that six of its team meet the tough new prison law supervisor standards. Six of the best will also be thought of by older readers as referring to a caning by the headmaster. Yes, legal aid is taking something of a caning at the moment but thanks to campaigning efforts of dedicated specialist prison lawyers, the new legal aid rules still allow funding for representation at crucial hearings such as parole, recall and disciplinary matters.

Advice and assistance is also still available and covers progression, transfer, recall and preparation for parole and disciplinary hearings. As legal aid lawyers we remain committed to providing quality advice and representation and we think that with care and commitment we can continue to provide a quality service to prisoners. There will be a greater emphasis on issues impacting significantly on prisoners.

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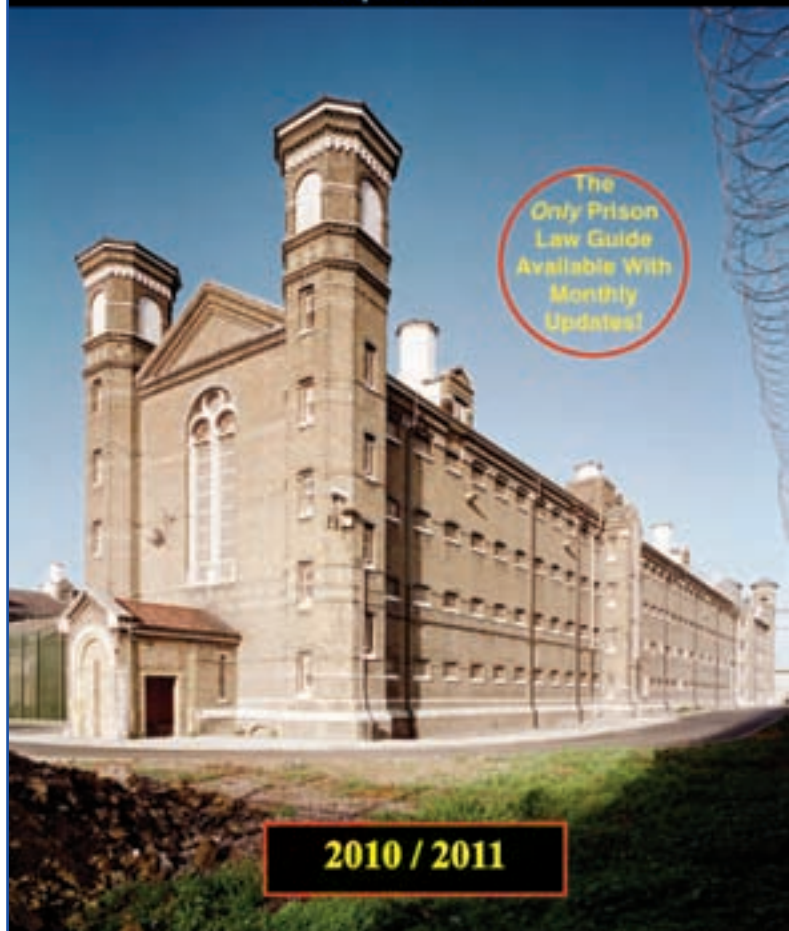
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IPP Sentence Quashed

An indeterminate sentence for downloading child pornography has been quashed by the Court of Appeal, and a 5 year determinate sentence and Sexual Offences Prevention Order (SOPO) substituted.

This followed a successful appeal brought by Rhys Evans, a specialist criminal lawyer at Swain & Co in Havant, Portsmouth.

Rhys Evans said: "Winning this case has turned an open-ended sentence into a fixed term sentence, and means my client will be released very shortly. He is very happy, as am I."

The Appellant had previous convictions for downloading (contrary to section 1 of the Protection of Children Act 1978) and pleaded guilty to new offences in November 2007. The police had found over 100 images on his computer, mostly category 1, but some category 4. In April 2008, he was sentenced to an IPP with a minimum tariff of 2 and half years. In passing the original sentence, the Judge correctly identified that these offences were serious specified offences under Schedule 15 to the Criminal Justice Act 2003, and that the Appellant had previous convictions for identical offences and, therefore, there was a presumption under the law as it stood that he was a dangerous offender. Therefore, the Court was bound to impose an IPP, unless it was unreasonable to do so in all the circumstances.

However, later in 2007, the Court of Appeal decided in Terrell [2007] EWCA Crim 3079 that so-called "downloaders" should not be found to be dangerous for the purposes of the CJA03. This was because (para 28): "The link between the act of

downloading these indecent images and the possible harm which might be done to children is too remote to satisfy the requirement that it be this Appellant's re-offending which causes the serious harm."

The test for whether someone is dangerous for the purposes of the CJA03 is whether, upon their release, they would pose a significant risk of causing serious harm to the public through the commission of further specified offences. Therefore, the link between the act of downloading child pornography and the actual harm being suffered by the children is too remote for the purposes of the CJA03 when considering whether someone guilty of that offence is dangerous.

Rhys Evans, who did not represent the prisoner at the time of sentence, said, "No-one informed my client about this development at the time, but I recognised there were grounds for an appeal, instructed a barrister and lodged the appeal as soon as possible."

Swain & Co lodged its client's appeal on this basis and the IPP was quashed and replaced with a 5 year determinate sentence and a Sexual Offences Prevention Order (SOPO).



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Gun Cops Spared Jail

Suspended Sentences for Durham Cops who Sold Firearms



Two former Durham Police officers who set themselves up as "quasi firearms dealers" have been spared immediate jail sentences by a judge who criticised the "lax" gun licensing system of their force.

Maurice Allen, 48, and Damian Cobain, 42, were given suspended sentences on Friday by a judge at Newcastle Crown Court after they admitted misconduct in public office.

The judge was told how the pair were firearms

licensing officers with Durham Police, although both have now resigned.

Working separately, they would sell on guns surrendered by members of the public for a range of reasons, including during amnesties.

Kingsley Hyland, prosecuting, said the two men "set themselves up as quasi firearms dealers, treating such weapons as their own to do with as they pleased".

Mr Hyland said the pair would liaise with their many contacts in the shooting community to pass on weapons, many of which had been due to be destroyed. Allen was operating between 2003

and 2007, and Cobain between 2004 and 2008, the court heard.

But Judge David Hodson said he decided to suspend jail sentences after hearing the pair made only minimal financial gains and only sold guns to

licensed members of the shooting community. He made it clear none of the guns had gone to criminals.

Judge Hodson also said he had to set the behaviour of the two officers in the context of a firearms licensing department in Durham Constabulary where procedures were "extremely lax, if not chaotic" during the period the men were operating.

He said the two men took advantage of this situation, which he was told has now improved.

Sentencing Allen, a former firearms licensing officer in Derwentside who is from Houghton-le-Spring, the judge pointed to his many years of service of "distinction and bravery" on the policing front line. But he said the former officer's actions were made worse by his attempts to cover his tracks with forged documents.

He gave him a 51-week prison sentence suspended for two years, and ordered him to observe a curfew between 10pm and 7am for six months.

Turning to Cobain, a former firearms licensing officer in East Durham who is from Sunderland, the judge said he had not tried to cover his tracks. In fact, he said, Cobain had been open about many of his transactions but this was not picked up by the force. Cobain was given a 40-week sentence suspended for 18 months, and ordered to observe a curfew between 10pm and 7am for four months.

Cop Jailed For Cannabis Texts



A police community support officer who sent confidential intelligence to criminals for profit after becoming addicted to gambling has been jailed for 15 months.

Sonuc Mehmet, 24, helped known criminals raid cannabis factories by finding the addresses of potential targets and sending them the details by text. Judge David Radford, the honorary recorder of Redbridge, said Mehmet grossly abused his position of trust in the Metropolitan Police as he set

out to make money by helping criminals.

Mehmet carried out more than 250 searches of the force's criminal intelligence systems for cannabis factories across the London area in just one month, Snaresbrook Crown Court in east London heard. He then sent the confidential information to known criminals by text.

After one search identified a property in Harrow in July last year, two men allegedly raided the house and escaped with 2.9kg of cannabis valued at £17,000. Both men face trial later this year and cannot be named for legal reasons.

Sentencing Mehmet, the judge said: "It is indeed a sad day that you find yourself where you are." He told Mehmet he sent the information to "those who you well knew were going to use it to commit serious criminal offences concerning the burglary or robbery of suspected cannabis factories".

"The inference that I draw is that your involvement was for reasons of financial gain," the judge said.

Mehmet searched the force's systems again after the raid to establish whether the burglary had taken

place and what information the police knew, the court heard.

The judge said Mehmet, who was based in Havering, had been an exemplary PCSO after joining the force in November 2006 but his attitude and behaviour changed when he developed a serious gambling problem in December 2008.

After previously winning three commendations and high praise from his superiors, he became lazy, had problems with attendance, and concerns were raised about his associations with known criminals, the court was told.

By then he was "pathologically" addicted to gambling and was in considerable debt, the court heard. No further details were given.

In mitigation, Valerie Charbit said Mehmet, of Maple Close, Stoke Newington, north London, hoped to gain just £200 by providing the information to the criminals, but was never paid.

"This defendant is genuinely remorseful," she said.

"He committed a grave error of judgment in conducting himself the way he did. He has

completely turned his life around since his arrest."

Earlier, Mark Fenhalls, for the prosecution, said Mehmet originally told police in interview that he was accessing the force computer systems every day because the official briefings were "very poor" and he needed the information for his personal safety.

But as the evidence against him mounted he pleaded guilty in May to misconduct in public office between June 29 and July 21 last year.

His family and friends gasped in the public gallery as he was sent down.

Mehmet, who has a 10-month-old son, resigned from the Metropolitan Police in October last year and became a bus driver.

Detective Chief Inspector Chris Robson, of the Met's directorate of professional standards, said: "This should act as a reminder that the Met is committed to ensuring all officers and staff meet the professional standards that we and the public expect them to.

"We will not tolerate wrong doing."

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Jeremy Moore represented Barry George in his successful appeal proceedings and subsequent re-trial where he was acquitted.

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NI Police Ombudsman In Damaging Climbdown



Anger over a controversial report into one of the worst atrocities of the Troubles has forced Northern Ireland's Police Ombudsman into a damaging climbdown.

Al Hutchinson's office monitors police conduct, but had to shelve its review of the bombing of a north Belfast bar in 1971 which killed 15 people, after criticism of its decision to largely exonerate police handling of the case.

Campaigners said the then Royal Ulster Constabulary (RUC) had helped maintain false claims by military and political leaders that the IRA was responsible for the bombing, when it was known that loyalists planted the device in the nationalist New Lodge area.

Two years ago the then Northern Ireland Office Security Minister Paul Goggins apologised for the false claims made by government officials at the time of the

McGurk's Bar bombing, but bereaved relatives who were given early access to the Police Ombudsman's report were shocked to find basic errors and contradictory conclusions on the sensitive case.

Mr Hutchinson said: "I have said before today, and it has always been my philosophy, if we're doing wrong then we admit that and we set about correcting it. That's the stage where I'm at now.

"I think [on] the public confidence, actually they can be assured that we will always try to listen to the families. "We didn't do it very well in this case and we're regrouping and learning, and admit that mistake, and set about to correct it.

"We're in that process of dialogue and we'll see where that goes."

Children and pensioners were among those killed in

the attack on McGurk's bar, which caused one of the largest single death tolls of the Troubles.

The allegation that the explosion in the Catholic pub was an IRA "own goal" added to the pain felt by the bereaved since it falsely implied that some of those in the bar may have been paramilitaries. The Ombudsman's office had seen security documents which pointed to an official policy to portray the attack as the work of republicans.

This was despite the fact that a retired military information officer interviewed by the Ombudsman said that, within a day of the attack, the military were aware the loyalist paramilitary Ulster Volunteer Force (UVF) was involved.

In 1977 a member of the UVF admitted driving the gang's getaway car - confirming the long-held belief that the attack was a loyalist bombing.

Relatives given access to the Police Ombudsman's report yesterday hit out at his conclusion that there was no suggestion that police failed to conduct a thorough investigation.

A spokesman added: "Investigators have found no evidence that police or the security forces conspired with the bombers before, during or after the incident, nor any evidence of police criminality or misconduct."

But the Pat Finucane Centre, a human rights lobby group that has campaigned over the case, pointed to inconsistencies and inaccuracies.

It said an RUC document circulated in the immediate aftermath of the attack falsely blamed the IRA for the bombing. And while one section of the report said claims that the police failed to carry out a thorough investigation could not be substantiated, the Finucane Centre claimed that elsewhere in the document the same allegation is said to have been partially substantiated.

The authors of the report also mistakenly omitted the name of one of those murdered and replaced it with the name of a bereaved relative.

Mr Hutchinson today pledged to meet with the families and said he believed his office had failed to fully explain the nature of its findings.

"Families made four specific complaints which we addressed but our statutory mandate of course is to gather evidence and if there is a crime, report it to PPS (the Public Prosecution Service) who will decide on charges. That was not the case," he said.

"I think we're not explaining it very well in terms of the family on our remit and mandate."

He said the families were innocent victims who, like many others bereaved in the Troubles, had no ready vehicle for securing answers on their loss.

Today Alex McLaughlin, whose father Thomas was killed in the McGurk's bar bombing, said the bereaved relatives would look forward to the chance to hear directly from the ombudsman.

"We welcome the meeting with Al Hutchinson," he said.

"The sooner the better as far as I am concerned, so we can start talking. And Al Hutchinson - listen this time. Listen to the families this time."

Sinn Féin Assembly member for North Belfast Gerry Kelly said: "The report given to the relatives of those killed in the UVF attack on McGurk's bar yesterday was so inaccurate that it couldn't even get the year the attack happened and the names of those killed correct.

"There is now a job to rebuild public confidence in their work.

"This needs to start with the production of a report into the McGurk's Bar bombing which gets to the truth and delivers for the families."

SDLP justice spokesman Alban Maginness welcomed the decision to shelve the report.

He said: "Besides the brutal murder of 15 people, the bombing of McGurk's Bar stands out because of the horrific way it was deliberately turned into a black propaganda opportunity. The families are right to point out that the report does not fully confront that reality or the full role of the RUC in permitting or facilitating that blatant lie, which caused deep hurt and suffering to them for many years."

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the 1 Pump Court page

Prison Law Barristers Working For You

Message from Stephen Field



You may not all be interested in the World Cup but I was! Losing feels so bad, and we all lost (apart from the Spanish football team and any Spanish Prisoners, solicitors or barristers) who I wish my congratulations!

In the real world, on 6th July I was on the receiving end of a losing decision in the Court of Appeal when the court decided that the mistaken early release of a Prisoner by a governor meant that the Prisoner was "unlawfully at large" - even though the Prisoner had a licence to wave at any passing police officer! (R (on the application of E) v Secretary of State for Justice). Losing that case did not feel very good.

The leading Judge (Sedley LJ) said that the decision was "grossly unfair" but that this was the law!

On 7th July, we settled another judicial review case when the Secretary of State accepted his error and quashed a governor's adjudication where the decision was based on an unsubstantiated opinion of a prison officer that a bottle of orange "(s)quash" liquid was "fermenting" (R on the application of C v Secretary of State for Justice). Winning that case felt good!

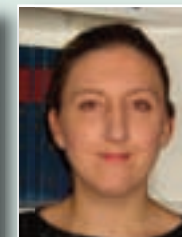
It made me think: "You win some, you lose some, but, if it's wrong, you fight to do something about it." This is why I, and the team, continue to fight for your right to fair treatment.



Eleanor



Greg



Joanne



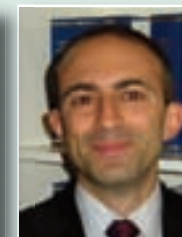
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Message from the team

From speaking to you every day, we know that what you want is:

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The 1 Pump Court Prison Law Team is committed to providing advice, assistance and representation - fighting for you from the smallest prison adjudication to challenging the Secretary of State in the highest courts in the land.

We are happy to work with your existing solicitor if you have one, or to recommend one if you don't. Many of the members of our team are able to accept instructions from prisoners directly without a solicitor in appropriate cases*.

We are easy to talk to and give no-nonsense advice. If you have a Prison Law issue, please fill in the questionnaire in the left hand column. By providing the information requested you can ensure that we can deal with your enquiries as quickly as possible.

We look forward to working with you.
*Barristers who can accept instructions directly are: Stephen Field, Ajanta Kaza, Daniel Kingsley, Sam Parham, Rebecca Martin and Terry Pedro.

LATEST RESULTS

R (on the application of E) v Secretary of State for Justice - claim against the Secretary of State regarding the mistaken early release of a Prisoner by a governor and the decision that he was "unlawfully at large" whilst serving his sentence in the community on licence.

R (on the application of C) v Secretary of State for Justice - claim regarding the unlawful adjudication of a Prisoner without sufficient evidence.

R (on the application of AL) v Governor HMP Norwich - High Court - Emergency Judicial Review and release on the Order of the High Court Judge of AL, an IPP Prisoner who prison refused to release following a direction by the Parole Board because of a petty disciplinary offence immediately before scheduled release day.

R (on the application of RR) v Magistrates' Court - Court of Appeal - Successful application for leave to challenge the definition of theft.

R (on the application of N) and R (on the application

of P) v HMP Wakefield - Challenge to the Wakefield ID Card scheme.

IMPORTANT NOTICE ABOUT TELEPHONE CALLS TO CHAMBERS

If the Prison Law Team are doing their jobs properly, they are simply not available to take telephone calls from prisoners during normal working hours (which inevitably involve early starts, late finishes and travelling time). Whilst Fran Springfield (our dedicated Prison Law Team Coordinator) and the clerks (Ian, Sian, Mycal and Johnny) do their best, we do not have a huge administrative support structure within the Prison Law Team, and the phone lines are open on **Tues between 1pm to 5 p.m** during which time a rota will be in place to take essential calls.

Questionnaire

Direct Access - Potential New Instructions

Name: Prison No.

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Do not worry if you do not complete all the questions fully, further instructions can be given in due course.

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Solicitor currently instructed in relation to this matter (if any) and/or your preferred solicitor if a solicitor also needs to be instructed:

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Alternatively, I do not have a solicitor and would like you to suggest a solicitor should it be desirable to instruct a solicitor and barrister. I give my consent for you to speak with my past, current or future prospective solicitor about my case.

Signed

Date

Please complete this form and send it in an envelope clearly marked: **RULE 39: LEGAL CORRESPONDENCE** to Prison Law Team, 1 Pump Court Chambers, Temple, London EC4Y 7AB and we will reply forthwith. Only send us photocopied documents. NO ORIGINALS please.

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SPECIAL MESSAGE TO SOLICITORS

We are receiving a large number of queries from Prisoners with problems in Immigration matters, civil matters (including potential claims against prisons), medical negligence case, as well as housing/homelessness and community care cases. If any specialist Solicitors are able to advise

and assist Prisoners PLEASE contact us at Chambers, where the Prison Law Team will be very pleased to work together on these deserving cases.



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**"If something's wrong
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about it!"**

Cops on Trial For Soldier Assault



Pc Richard Kelsall, Sgt Stephen Russell and Special Constable Peter Lightfoot.

Three police officers called out to deal with a drunk off-duty soldier gave him a savage beating similar to scenes from TV drama Life On Mars, a court was told.

Sgt Stephen Russell 34, PC Richard Kelsall 28, and Special Constable Peter Lightfoot 40 dealt with 24-year old Mark Aspinall with 'clinical precision', when they confronted him outside Walkabout nightclub in Wigan town centre.

A jury at Manchester's Minshall Street Crown Court heard that having identified Mr Aspinall, who did two tours of Iraq and Afghanistan with the Royal Electrical and Mechanical Engineers, the two junior

officers frogmarched him from the club on Sunday July 27 2008 and subjected Mr Aspinall, from Bolton, to a violent assault. His head was banged on the road surface, and face ground into the road. The jury was told Mr Aspinall was then prosecuted for assault, along with a public order offence. He was convicted by Wigan Magistrates, who were not given the opportunity to see all the available CCTV footage, and later cleared on appeal by a judge at Liverpool Crown Court.

Charges were brought against the three police officers after an investigation.

Ian Unsworth QC, prosecuting, said: "They were

acts unworthy of police officers. This was a scene worthy of the TV show Life On Mars." He told the jury that having carried out the brutal assaults, the three plotted together to make false statements which were used to bring charges and a conviction.

Kelsall and Lightfoot each plead not guilty to two charges of assault occasioning actual bodily harm; Russell pleads not guilty to one charge of assault.

Lightfoot pleads not guilty to perjury. All three plead not guilty to a charge of conspiracy to pervert the course of public justice.

Barristers for the officers said the drunk off-duty soldier, had behaved in an 'utterly disgraceful' way on the night of the incident. Defence counsel told the court Mark Aspinall, who had drunk about nine pints of lager in Wigan, shouted racial abuse at door staff of a club from which he was ejected, it was said.

They claimed he hammered at a closed door with a traffic cone and refused to get out of the way of paramedics called to treat a woman who had

collapsed.

Under cross examination by defence counsel it was alleged that Aspinall swore at the paramedics and boasted that he had fought in Iraq and was a hero, and when police tried to calm him down, he is said to have sworn at them.

The court was told that before being thrown out of the Walkabout, on King Street, Mr Aspinall, described as having

had an exemplary Army career, was said to have shouted racial abuse to an Asian doorman, referring to the Taliban and al-Qaida. Mr Aspinall, from Bolton, who did two tours of Iraq and Afghanistan, strenuously denied the allegations, answering either with a firm 'no', or admitting he could not remember. He strenuously denied that he had taken cocaine, saying: "I have never, ever done drugs".

The allegations were made during cross-examination of the former Lance Corporal, who has since left the Army, by barristers defending the police officers.

A clip seen by the jury showed Mr Aspinall's body flying through the air and landing in the road. He was then tackled to the ground by officers and an arm appears to be drawn back to throw a punch.

It was also revealed that Mr Aspinall has twice before been arrested while drunk, once just three months before this incident. He abused club doormen and offered to fight police. He had to be restrained with two pairs of handcuffs – as he was in Wigan – and was fined.

He was also fined after an earlier offence of being drunk and disorderly.

The trial continues.



Dad Jailed for 6 Week Old Baby Killing, 25 Yrs Ago



A "violent and controlling" handyman has been jailed for smothering his six-week-old daughter in Norfolk 25 years ago.

David Riches (left), 52, from Pezens in France, was given a 14-year prison term by a judge at Norwich Crown Court after being convicted of the manslaughter of Melanin Riches in Norwich on July 3, 1985.

When the baby girl died doctors thought the cause was cot death and police did not investigate, the court heard. But detectives launched an inquiry three years ago after Riches texted Melanin's brother Micah, now 22, saying the baby would not stop crying and he had "put her face between the arm and the seat of the sofa".

Micah Riches, of Norwich, contacted police after receiving the text and the investigation revealed a "catalogue of abuse" towards women and children, prosecutors said.

A jury found Riches, who lived in Norwich when he killed Melanin, guilty of manslaughter plus a number of assaults and cruelty offences. Judge Peter Jacobs said Riches was "violent and controlling" but doctors could find

no evidence of psychiatric illness.

"You cruelly forced (Melanin) to take every last drop of her milk before bedtime in the hope that she would sleep," said the judge. (You pushed) her face down the side of the sofa in between cushions. Your behaviour towards her culminated in her manslaughter.

"You were totally devoid of any methods of dealing with young children but you are so arrogant you thought you knew it all."

Detectives praised Micah Riches' courage in raising the alarm. They said he had contacted his father after losing touch and had asked what had happened on the day Melanin died. When Riches explained, Micah Riches called police.

"It took a lot of courage for him to do what he did," said Detective Chief Inspector Andy Guy, who led the inquiry. It shows that it's never too late. If people have information about things that have happened in the past we will take it seriously and investigate."

Riches entered not guilty pleas and insisted he had not meant to harm Melanin but was trying to make her sleep. He was cleared of murder.

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the Lawrences page

Established 1991, Lawrences has won itself a well-deserved reputation in fighting for their clients. Since 2002 it has been an exclusively criminal practice and since James Smith-Wilds took over as Principal the firm has trebled in size. Today Lawrences' provides a seamless quality service for clients from the police station, through the Courts and all the way to the release of those unfortunate to receive a prison sentence. Lawrences is predominantly a legal aid firm specialising in criminal and prison law and recently achieved 'competent plus' status at peer review.

Such is their reputation that many people first experience Lawrences as prison law clients - having been referred by existing clients. Lawrences prides itself on fighting for their clients and always aims for excellence. Meet our prison law team on this page and contact any of them regarding our services. We can take telephone instructions, but please bear in mind that most fee earners are out of the office representing clients at court, the police station or in prison. Leave your name, prison number, and establishment details with our friendly telephonists and we will then write to confirm your instructions and then see you as soon as your prison can accommodate a visit. More than anything else, we want to help you.

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JAMES SMITH-WILDS



James Smith-Wilds:
Principal

Called to the Bar in 1999, James has always specialised in criminal law. Working in a specialist criminal law firm from the beginning James has always found the system lacking when it came to prisoner rights. Having cross-qualified and then taking over his own firm in 2004, James had the opportunity to provide a proper service for his clients throughout their passage through the criminal justice system, including any period of incarceration. A passionate advocate for justice and the rights of the individual, James established a prison law department based on strict principles and not merely profit. He holds the Certificate of Competency in Prison Law with Distinction and is always keen to get the best possible result for his clients; James fights their corner whatever their circumstances.



Helen Harris:
Head of Prison Law

Since graduating from university in 2003, Helen has been passionate about helping prisoners. In the last 6 years, Helen has built up an encyclopaedic knowledge of the Prison system having only specialised in Prison Law. Seeing prisoners on a daily basis, Helen is a regular at Adjudications and has built up a professional working relationship with many external adjudicators, often having prisoners referred to her and her representations being accepted without challenge. Helen holds the Certificate of Competency in Prison Law with Distinction and meets the new Supervisor criteria, soon to be made compulsory by the Legal Services Commission. Always ready to meet a challenge Helen has an excellent success record at both Adjudications and Parole Hearings.



Sally Smith
Prison Law Specialist

Sally's passion for Law began 14 years ago when she discovered a flair for the work, she qualified as an Accredited Police Station Representative early in 1998 and she has an enviable reputation with her clients for enthusiasm and success in both police stations and prisons. Sally has extensive experience in Police Station, Crown Court and Prison Law cases country wide. Sally has the Certificate of Competency in Prison Law with Distinction and she now specialises in providing advice and representation across the whole Prison Law range. Sally prides herself on having direct contact with her clients, listening to their problems, giving sensible and realistic advice and explaining every step in a way that is easily understood.



Annette Surkitt
Prison Law Specialist

Annette has worked in law for the last 8 years. Having only been with Lawrences for the last six months, such is the level of her specialisation, Annette too will meet the new Supervisor criteria by its implementation in October. Annette is passionate about Prisoner Rights and is always very keen to see the prisoner's view of things. Annette is an excellent addition to the Prison Law team at Lawrences and is extremely popular with clients. Annette, as with all the team at Lawrences, frequently travels up and down the country to see her clients. Believing that the clients' case is the most important issue and getting the best for the client justifies the travelling, ensuring continuity of care and an excellent level of service are the hallmarks of her professionalism.



David Lissaman
Head of the Crown Court Department

David has been working in the Criminal Justice System for 25 years and has specialised in Crown Court work for the last 10 years. David has been with us since 2007 and commented on how much more proactive we are in fighting for our clients. Indeed David noted that in the first 6 months at Lawrences he had conducted more appeals than he had for any other firm before. Since taking over the Crown Court department David has had an almost 100 per cent success rate at appeal. An active family man and keen rugby player, David, like everyone here at Lawrences, is a straight talking lawyer with a robust approach to cases who believes in giving accurate and impartial legal advice.



Mike Pryor
Consultant Solicitor

Mike has over 40 years experience in Crime, he originally qualified as a Solicitor in 1982 and has defended clients ever since. Mike became a consultant at Lawrences after retiring as the Senior Criminal Partner in a Leicester based firm. Primarily a Magistrates trial advocate, Mike handles the more complex prison law cases.



Mark Nichols

Mark has been a solicitor for over 19 years, and he ran his own specialist criminal law practice before joining Lawrences Solicitors two years ago. Primarily a court advocate, Mark is in the process of attaining his Crown Court rights of audience. A keen athlete, Mark approaches his cases with the same gritty determination that he has shown running the London and Paris marathons.



Shirley French: Practice Manager

Having worked at Lawrences since its inception, Shirley now runs the administrative side of the firm and is responsible for all practice issues prior to them being passed to James. This would include general file control and complaints. We have an open and honest attitude towards complaints, and whilst we may not achieve exactly what our client had hoped for, we always endeavour to do our best.



Paula and Jo

For many of our clients the first contact that they have with Lawrences will be with either Paula or Jo. Both of them have been telephonists with law firms since they left school and they have 25 years experience of handling clients between them. Friendly and efficient, always feel free to leave your details knowing they will be passed on promptly so that we can start working on your case straight away.



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HELEN HARRIS

Five Cops Investigated Over Female Cell Death



before and while in custody had been searched and arrested for possession of class A drugs.

The Independent Police Complaints Commission (IPCC) said the notices served on the five Sussex Police custody sergeants are required under rules to advise that their conduct is under investigation.

The actions of four civilian Reliance custody assistants are also being examined, the IPCC added.

IPCC commissioner for the South East, Mike Franklin, said: "It is important that the actions of all those officers and civilian staff, who were responsible for Miss McLaughlin's care while she was in custody, are fully examined."

Investigators have been examining CCTV from the

Forensic work is continuing to try to establish the cause of Miss McLaughlin's death after a post-mortem examination proved inconclusive.

In a statement released at the time of her death, her family said she was dependent on drugs, but added: "This terrible addiction never changed her kind nature and the love for her daughter and family."

It described her death as "another sad example of the destructive nature of drugs for its users and their families".

The statement continued: "Sharon was a kind-hearted girl who was able to light up any room with her presence and infectious smile. She left us with so many treasured memories that will be never forgotten."

"The family are determined that the circumstances surrounding this incident are fully investigated in order to establish whether Sharon was given the duty of care she deserved."

"We have full confidence that the Independent Police Complaints Commission will get the answers to the many questions surrounding this tragedy."

A Sussex Police spokesman said:

"We are aware of the action being taken by the IPCC concerning developments in their investigation of the death of 32-year-old Sharon McLaughlin in Worthing Police custody centre on Sunday 16 May."

"The IPCC has served misconduct notices on five custody sergeants, and the actions of four civilian Reliance custody assistants are also being examined as part of the investigation."

"Serving misconduct notices is a standard procedure to inform officers their actions are under investigation and assumptions should not be made about the result of the IPCC's investigation."

"Sussex Police and Reliance continue to assist the commission's investigators."

HMP Hewell Death

A prisoner has died after being found hanging in his cell, a Prison Service spokesman has said.

Mark Mulholland, 46, was discovered at HMP Hewell in Redditch, Worcestershire on 9/7/10.

The Prison Service said his death will be investigated by the Prisons and Probation Ombudsman.

A Prison Service spokesperson said: "HMP Hewell prisoner Mark Mulholland was found hanging in his cell at 10.40am on Friday 9 July 2010."

"Staff attempted to resuscitate Mr Mulholland and paramedics took him to an outside hospital, where he was pronounced dead at 11.56am."

"As with all deaths in custody, there will be an investigation by the Prisons and Probation Ombudsman."

HMP Hewell was created in June 2008 by an amalgamation of the three former prisons on the site; Blakenhurst, Brockhill and Hewell Grange.

The prison houses Category B, C and D inmates.



Misconduct notices have been served on five police officers in connection with the death of a woman in police custody, it has been disclosed.

Their actions are being scrutinised by the police watchdog following the death of mother-of-one Sharon McLaughlin, 32, who was found unconscious in her cell at Worthing police custody centre in West Sussex on May 16.

She had been arrested on suspicion of theft the day

custody suite, studying documents and records relating to Miss McLaughlin's detention and comparing accounts from officers and custody staff. They have also been analysing Sussex Police and Association of Chief Police Officers (Acpo) policies, guidance and training for custody officers and staff. The IPCC said that in particular their inquiries will look at policies and guidance relating to caring for detainees with drug dependency.

7 July Cops Cleared

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Two counter-terrorism officers have been cleared of inflating their expenses claims while investigating the July 7 bombers.

Detective Sergeants Nevill Caldecourt, 50, and Peter Allbut, 45, of the Met's Specialist Operations Unit, were cleared of conspiracy to defraud and misconduct in a public office by judge Geoffrey Rivlin QC after prosecutors offered no evidence against them.

The charges related to an alleged conspiracy to defraud the Metropolitan Police by dishonestly

Daren Pooley, 40, his wife Nicola, 39, and her sister Michelle Butler, 49, all deny conspiracy to defraud and will go on trial in October. Butler's husband Stephen, 58, admitted the charge in May.



overcharging for flat rentals in Leeds during the investigation into the 2005 London bombings, Southwark Crown Court in central London heard.

The defendants were cleared of trying to make a secret profit between April 1 2006 and September 30 2007.

Detective Constable

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Jailed Cop Framed Innocent Teenagers to Boost Promotion



A police constable who tricked teenagers into accepting official cautions to meet detection targets and boost his promotion prospects has been given a three-year jail sentence.

Pc Dominic de Souza, 31, who worked for Norfolk Police, had been convicted of nine offences of wilful misconduct in a public office following a trial at Norwich Crown Court.

Judge Peter Jacobs said de Souza, who committed the offences while working near Norwich, had "criminalised" innocent people and was guilty of a "pervasive abuse of power".

He told the court that the case "exposed the shortcomings" of target-driven policing and did "wholesale damage" to public confidence in the police.

The judge also said a sergeant and an inspector who managed de Souza had not enjoyed "their finest hour".

He said de Souza, who worked for the Metropolitan Police for four years before moving to the Norfolk force in 2007, would stay in jail for at least 18 months before being eligible for release on licence. A senior officer said after the hearing that de Souza had been suspended pending the completion of the case but would be sacked.

He said de Souza's crimes were exposed by another Norfolk officer and bosses were confident that they were dealing with an isolated case.

The judge said de Souza, who was based in Wymondham, Norfolk, targeted "young men who were hanging around" and had been trying to meet targets and boost promotion prospects.

De Souza questioned and searched teenagers, then conned them into accepting cautions for drug offences and possession of offensive weapons, the court heard.

Jurors heard that he forged a signature and falsified dates of birth to make youngsters appear older than they were and therefore eligible to be cautioned.

"Detected crimes" were then recorded against de Souza's name in lists of crime statistics.

Judge Jacobs said two youngsters were given cautions when "plainly innocent of any offence whatsoever".

"Some years ago the Home Office laid down targets for detection of crime, which were passed to police forces," said the judge.

"These were transferred into targets for particular divisions and particular officers. This trial exposes the shortcomings of this approach."

He added: "(It was) a pervasive abuse of power. People are criminalised. Wholesale damage is done to public confidence in the police force."

Kevin Wilkins, Norfolk's acting Deputy Chief Constable, said after the hearing that checks had been made on other people convicted following investigation by de Souza and no evidence of other wrongdoing had come to light.

He said the Metropolitan Police had been made aware of the case.

Mr Wilkins said de Souza was "corrupt and dishonest" and added that officers were not under pressure to meet targets.

"I don't think that is the case at all," he added. "What we expect is for our officers to put in a decent day's work."

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Join The Fight To Save Legal Aid

Following a recent article in the Law Society Gazette about potential legal aid cuts Peter Garsden, Partner at Abney Garsden McDonald (see advert above) has written to the Justice Secretary, Kenneth Clarke.

Writing on behalf of the Association of Child Abuse Lawyers (ACAL) of which he is the President, Peter asked for assurances that the rights of the victims of abuse would be ring-fenced from any cuts the government propose to make.

As an association who represent the victims of abuse, the vast majority of whom are disadvantaged, poor, and would not be able to gain access to justice were it not for public funding, ACAL are concerned that public funding which has already been cut to the bone will mean the needs of

the disadvantaged will be affected further.

In May Peter received a response from the Ministry of Justice's Policy Officer stating that the Chancellor of the Exchequer has announced that the Government plans to save £6.2bn from spending in 2010-11. The departmental contribution to this total from the Ministry of Justice is £325mm, in addition to any existing savings targets, from a budget of £9.2bn. She went on to say that it is too early to say how these savings will be implemented but the Justice Secretary wants to minimise any effect on our ability to deliver vital frontline services.

In a statement made on 23rd June Kenneth Clarke has announced the governments plan to review legal aid and is currently studying the previous reviews of legal aid prior to releasing a consultation

paper in the autumn, which will outline some options for reforming the system.

Commenting on potential legal aid cuts, Peter Garsden said: "It is regrettable and disappointing that the Ministry of Justice is unable to confirm that the Legal Aid cutbacks will not affect the survivors of child abuse. Justice is meant to be an equal partner in the modern welfare state to education and health, but once again it seems to be the victim of the Treasurer's blunt and unfeeling axe. The victims of child abuse are an easy target because they are

vulnerable, and accustomed to abuse. It means that someone has to stick up for them, and provide them with a voice."

We are urging people to join our campaign and fight for the ring fencing of legal aid abuse work and damage to vulnerable adults.

Write to your MP at The House of Commons, London SW1A 1AA, asking them to obtain an assurance from the relevant Minister that Legal Aid funding will be protected from cuts to safeguard the most vulnerable in our society.



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Our Specialist Prison Law Team is headed by Fosia Jury and Darren Cousins, both of whom have been accredited by the Institute of Prison Law and other members are Clint Ambrose, Charana Sangeewa, Antonita Nagalingam and Nasreen Hussain who have all been through a thorough training and accreditation process.

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Appeals against conviction

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- Police error or misconduct

- Improperly obtained confessions
- Flawed identification
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Mackesys is also committed to legal aid and we have been approved by the legal services commission and currently hold a family law contract with them.

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Where parents cannot agree about the arrangements for their children the court can make orders under the Children Act 1989. The court can therefore decide where a child should live in the form of a residence order.

CONTACT DISPUTES

When parents cannot agree the arrangements for their children the court can make orders under the Children Act 1989. The court can decide how often the child should see another parent or relative in the form of a contact order.

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- Child protection investigations
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Corrupt CPS Lawyer Jailed



Corrupt Crown Prosecutor Sarfraz Ibrahim has admitted pocketing £20,000 in a police sting operation to stop a prosecution for an assault that never was.

A disgraced Crown prosecutor is now in prison after being jailed for four and a half years for bribery.

Sarfraz Ibrahim, 51, of Cyncoed, Cardiff, south Wales, accepted £20,000 to use his position to discontinue an assault case.

Ibrahim, who was Gwent Crown Prosecution Service trials chief at the time, split the cash with an accomplice.

He was caught after an elaborate undercover police sting set up by the Serious Organised Crimes Agency (Soca) to test his integrity.

The head of the CPS condemned Ibrahim's actions and vowed corruption would not be tolerated.

Keir Starmer QC, director of public prosecutions, said Ibrahim had disgraced the CPS through a serious breach of trust.

"While criminal behaviour of this serious nature is extremely rare in the service, the CPS will prosecute all such cases robustly and will not hesitate to take action against any member of its staff who brings discredit on the service. This behaviour will not be tolerated in our organisation."

He added: "The public has a right to expect the highest standards of professional behaviour from CPS employees and I will not tolerate anything less."

"All necessary action will always be taken to ensure that the public can continue to have confidence in all those who prosecute on their behalf."

Ibrahim admitted corruption, perverting the course of justice and misconduct in a public office.

His admissions, on the eve of a trial at Swansea Crown Court, related to a period between May and August last year.

Mr Justice Treacy, sentencing today, heard that alarm bells had started to go off when Ibrahim came to the attention of Soca.

He was spotted with a man named Saifur Khan, 36, from Cardiff, visiting a motorway services near Bridgend in the autumn of 2008.

Ibrahim and Khan met with two men known for their links to the cocaine trade in south Wales who were both under surveillance.

When Ibrahim and Khan were identified Soca set up an integrity test to see whether either man was corrupt.

It led to a case file linked to a bogus assault charge being created which allowed the police to gauge the honesty of both men.

Undercover officers approached Khan posing as a wealthy businessman and his driver,

the latter eventually being arrested for assault.

The set piece arrest took place in a flat rented from Khan and eventually led to Ibrahim's intervention when he discontinued the case for cash.

Sentencing Ibrahim in Swansea today the judge told him: "You have broken the most sacred rule of any profession."

He added: "You are an intelligent and resourceful man who freely embarked on a course of criminal activity which you knew was serious and which, if detected, would lead to a long term in prison."

He said: "I am sure that you were motivated by personal gain from the outset."

"I know also that you lied to the police to conceal your guilt."

"It is clear to me that you were not persuaded or led in any of these offences by anyone else."

"The tapes and the evidence I have heard make that only too clear."

He told Ibrahim that his actions had had a "potentially corrosive effect beyond this case".

He added: "The alacrity with which you collected your half of the £20,000 bribe tells its own story and now you only have yourself to blame for what you alone have done."

Sarfraz Ibrahim's dramatic fall from grace is all the greater because he was held in such high esteem by his colleagues and profession in general.

Andrew Langdon QC, defending, spoke in court of the leadership, flare and inspiration that Ibrahim brought to his job.

As the eldest son of parents who came to the UK from Tanzania in the 1950s, he epitomised the ability of gifted immigrants to succeed here.

After qualifying as a lawyer, he eventually got himself a job with the Crown Prosecution Service not long after it was first set up.

At the time of his arrest last August, he was on secondment from Avon and Somerset CPS working as Gwent CPS trial unit chief.

But before the move he had distinguished himself and won accolades for his hard work and close community links.

The Avon and Somerset Criminal Justice Board gave him an award which recognised his efforts for "engaging in communities".

In 2005, while working for Gwent, he was singled out for a national CPS award for recruiting black and ethnic minority staff to the service.

Mr Langdon handed in a series of letters today which all praised Ibrahim's unselfish hard work.

Speaking to the judge, he added: "If I do not say it now, no-one else is going to. He was good at what he did."

"He was conscientious, he was efficient, he was a leader and an inspiration to others."

"The loyalty of his staff, My Lord, is a theme of much of what you read about Sarfraz Ibrahim."

"Unfailing loyalty is not easily won and cannot be won by someone who is selfish, lazy and only interested in progressing their own career."

He went on to read out an appraisal of Ibrahim from 2004 in which his "humanitarianism", "good humour and forbearance" are all praised.

It concludes: "He was a pleasure to deal with."

Mr Langdon went on to argue that Ibrahim, though wrong, had never been motivated by money.

"There is no suggestion at any stage that he was asking for a bribe," he said.

"By his plea he accepts that when he

took the money at the end of the story he was taking a bribe.

"But his argument is that he was not motivated by a desire to make money. It was to help Khan and his friend."

Mr Langdon concluded: "The respect he won and the inspiration that he was for his community is now in tatters."

"He will find it hard in prison no doubt because he will be mixing with many of those who he himself put there."

Talking sense



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CONSCRIPT

Letters to the Editor.....

TOO MANY IN JAIL - NO ITS YOUR FAULT!

I write with disgust about the letter from the Magistrate in last month's Converse saying being in jail is our fault. I find it absolutely appalling that such a small minded person can think jail is the only answer. I'm in jail for burglary as a result of having problems with alcohol and cocaine, I had no help on offer from family or friends or, wait for it, the courts. My view is that if courts impose community based punishments they should ensure that they work and they are worth attending. Since I was sentenced I have attended every course available for drugs and alcohol and have changed by life around in a simply ten months - these courses are of course available outside of prison so I have proved much to his amazement no doubt that courses do work.

As for playstations he needs to remember that we buy these things ourselves from our own money, or they are sent in, at no cost to the public and we earn the privilege of having them by completing courses to reduce reoffending. As for DVD players I haven't seen a single one so maybe he should come and visit a jail and get his facts right.

As for being honest in court, most of us are honest, we stand in court and

admit that we have problems but people like him snub us off and us on a sentence were we have very limited help compared to what we have available outside of prison.

If only he could see us as people and not criminals, everyone has problems and some need more help than others, so he should stop his whining and start listening and he would then get alot further with us 'criminals'.

JC
HMP Kennet

I have to write to you about the magistrate whose letter you published last month, though it might upset many of my fellow prisoners I believe the guy was right. I've been in jail nine years now and I see the same people going in and out, serving the same sentences for the same offences - what are magistrates supposed to do when each time they go out they commit the same crime again?

Crime is an option for everyone, but most people realise that its just not right or not worth the risk - and let's face it everyone in here is shit at committing crimes because they keep getting caught and coming back!

I see guys swaggering around the wings here doing 15's or 20's for robbery, and you'd think they'd won the Nobel Prize for Blagging the way they carry on!

Me, I made a mistake, I committed my first ever crime and got a life sentence for my troubles - whatever else happens in my life I am one person who when that gate opens I'll run a mile and then keep going because the last thing I want to do is to appear in front of the kind of magistrate who wrote that letter last month and find myself back in here again.

Steve Soap Box
HMP Frankland

PRISON LAW COURSE WHAT'S THE SP?

I have applied to do the Certificate of Competency Course in Prison Law, with the Institute of Prison Law, but I have been told that I cannot do the course here because staff do not want me to acquire the knowledge. I have also been told that the Prisoners Education Trust will not fund this course for prisoners because they do not accept that inmates can get jobs as prison lawyers once they get out. Can you tell me if this is correct and also whether a former inmate be allowed to visit prisoner 'clients' in connection with such work - many thanks and keep up the excellent work with Converse!

GV
HMP Long Lartin

Mark Leech replies: What you have been told is not true. I have spoken to Simon Cartwright the Governor at Long Lartin who has assured me that you can do the course, it seems there was some questions raised about its suitability for long term prisoners but this has now been resolved and by now you should have been told by your Offender Supervisor that this is a course which you can complete. Currently we have

around 30 inmates doing this course, in every jail from open to High Security, and as for the Prisoners Education Trust not funding the course that is simply not true, I won't go into figures but I can assure you that PET have funded this course where they feel it appropriate to do so.

One inmate, Roger Gleave at HMP Maidstone, who completed the course last year with distinction, has now produced a booklet on inmate's rights which he is willing to send to anyone who sends him a stamped addressed envelope - and on the point that former inmates cannot be employed as prison lawyers, I know for certain that simply isn't true either. Of course convictions are important to any employer - but so too are qualifications. Many prison lawyers these days are self-employed and work on a consultancy basis attached to various solicitors firms - usually on a 70-30 split, where they receive 70% of what they bill each month and the firm keeps 30% to cover their supervision and office costs. I believe one firm, Scot Moncreiff Harbour, employ hundreds of lawyers this way - I do not know if any of them are former inmates but working from home undoubtedly reduces the effects and concerns convictions would otherwise have for an employer where you are working in an office environment. On release of course Offender Managers would have to approve such employment while on licence but they would have a hard time justifying its denial where you have the qualifications to do the job and an offer of employment to carry it out.

If you obtain employment as a prison lawyer, attached to a firm of solicitors, the Prison Service could not deny you access to see your 'clients' simply on the basis that you have been in jail. It is for the Law Society to regulate the legal profession, not the Prison Service, unless they had specific intelligence that you represented a threat to security - and not just one the basis of being a former inmate - they would have to allow you access to see clients on legitimate legal business where you were acting on behalf of the solicitors firm. HMP The

Mount tried sometime ago to get visiting lawyers to reveal any criminal convictions they had before they were allowed to enter the jail, but this was rapidly stopped when judicial review proceedings were launched to challenge the Prison Service passing itself off as the regulator of the legal profession.

Full details of the course can be downloaded from www.prisonlaw.org.uk the course is half price to serving prisoners (£455 inc VAT) and as those who have passed it will tell you it is well worthwhile.

IPP MANAGEMENT CHANGES

Can you tell me if it is right that there have been policy changes to the way that Indeterminate Sentence Prisoners (IPPs) like myself are to be managed? The jail is rife with rumour that we will now get the courses that have been identified for us, instead of waiting years over tariff. Depending on who you ask depends on what you are told, some say nothing has changed, others say the change has been wholesale- where does the truth start and the rumour end?

JP - HMP Wormwood Scrubs

Mark Leech replies: The answer is 'Yes' the policy on the management of IPPs has been reviewed and changed - it is set out in Prison Service Instruction 36 of 2010 and is available from your prison library on request.

In a nutshell this is what it says:

The policy for the management of all ISPs has been reviewed in light of the impact caused by the introduction of IPP and DPP sentences and the principles of Offender Management. The new policy reflects the following guiding principles: Firstly, sentence planning for Indeterminate Sentence Prisoners must be realistic, spanning work while in custody and in the community. There is an expectation now that sentence planning should be achievable, not just aspirational, and where interventions are recommended they can be delivered. The revised policy also emphasises interventions are not limited to accredited programmes and can include a range of other work with an offender, to address and help them reduce the risk

He knew my hand was there - and still slammed the door



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of harm they pose to the public. Sentence Plan targets must identify the prisoner's risks to be reduced, rather than identifying interventions to be completed.

Secondly, the allocation and management of ISPs will now be determined according to their risk levels and intervention needs, in line with the national priority of matching resources to risk and replacing the previous system of 'lifer stages'.

Thirdly, the policy now allows more regional and local flexibility, with Directors of Offender Management determining the best way to manage their ISP population and implementing this within their region.

Chapter 4.7 Escorted Absences was issued in June 2009 under PSI 22/2009. Escorted absences were first introduced for lifers as they can not be considered for ROTL until they are in open

conditions. Escorted absences were extended to all indeterminate sentences with the introduction of the indeterminate sentence of imprisonment for public protection (IPP/DPP).

PSI 36/2010 - ie the new instruction - introduces the new policy in the management of all Indeterminate Sentence Prisoners (ISPs). All staff who manage prisoners serving an indeterminate sentence must be familiar with this PSI - so I can't understand why those you have spoken too give you different stories; they should all have read the Instruction. read this chapter.

Governors must ensure all appropriate staff within their establishment are aware of the contents of this new instruction, copies held on the Prison Service Intranet, must be be amended to show the new instruction, and all copies held in prison libraries for inmates are also amended as instructed.

Some of the main changes to policy are highlighted below.

The fixed 'lifer stages', which adult lifers were required to progress through, are now removed. The terms 'First stage' and 'Second stage' now only apply to the female estate security categorisation names.

The revised ICA1 (male) and ICA3 (female) will be used for both Lifers and IPPs to determine their initial categorisation. Re-categorisation thereafter will be at establishment level, based upon SPR reports and linked to the assessed level of serious harm they pose to the public.

DOMs will have more discretion to manage the ISPs in their Region. Adult prisons must not have allocation criteria which exclude ISPs or limit the maximum numbers of ISPs it will hold, except where such criteria are exceptionally authorised by the

DOM (Director of High Security for dispersal prisons) For all ISP, regardless of tariff, the initial sentence plan meeting must be held within 16 weeks of sentence. Where further assessments are required to identify risk, these must be completed and a further sentence planning meeting held within 26 weeks of the initial sentence plan meeting. The first sequenced intervention (or intervention assessment) should be started once the above risk assessments are completed. An ISP's sentence plan targets will identify the risks to be reduced, rather than which interventions must be undertaken, to assist the prisoner to identify and reduce the risk of serious harm they pose to the public.

Your families with internet access can download the PSI by visiting.

<http://www.hmprisons.gov.uk/resourcecentre/psispsos/listpsis/>

The following is a list of Prison Service Orders currently in force copies of which are available to you through your Library.

We have also listed the most recent PSI's - again you must be able to access these through your library.

All inmates have the right of access to such documents and this is made clear in PSO 6710; in fact not only do you have the right of access, you specifically have the right of 'easy access'.

Some prisons will only allow access while you are visiting the library and will not allow you to loan either PSOs, PSIs or reference books - if this is the case you should seek legal help because such restrictions on your access are contrary to the policy of 'easy access' and the courts may rule such restrictions unlawful.

Pursuant to PSO 6710 all prison establishment libraries **MUST** have on **PROMINENT DISPLAY** a list of **ALL** reference books that are available to you, and you must be allowed easy access to them.

If you are being denied access to the reference books, or there is not a list of reference books on prominent display of the books available then you should raise it via request/complaints - if you request a copy of PSO 6710, this will detail all the reference books that must be made available to you and how you can access them.

PRISON SERVICE ORDERS

- 0000 – numerical index
- 0000 – subject index
- 0001 – prison service Instructns
- 0100 – the prison rules
- 0101 – yoi rules
- 0150 – civil justice sys
- 0200 – standards manual
- 0500 – reception
- 0550 – prisoner induction
- 0900 – categorisation allocation
- 1010 – cat a prisoners
- 1030 – video links
- 1250 – prisoners property
- 1300 – investigations
- 1301 – deaths in custody
- 1600 – use of force
- 1700 – segregation
- 1702 – anti bullying
- 1810 – maintaining order
- 1900 – prisoner accommodation
- 2000 – adjudications
- 0205 – offender assessment
- 2300 – resettlement
- 2350 – housing needs asesmt
- 2400 – therapeutic communities
- 2510 – requests and complaints
- 2520 – prison ombudsman
- 2600 – prisoner legal issues
- 2605 – legal services officer
- 2700 – suicide & self harm
- 2710 – Deaths in custody
- 2750 – violence reduction
- 2800 – race equality
- 2855 – prisoners: disabilities
- 3050 – continuity of healthcare
- 3100 – quality in healthcare

- 3200 – health promotion
- 3550 – clinical services
- 3601 – mandatory drugs testing
- 3605 – mdt samples
- 3610 – visits: drug smuggling
- 3620 – voluntary drug testing
- 3630 – carats
- 4000 – (3) CCRC
- 4000 – IEPS
- 4201 – open university
- 4205 – education in prisons
- 4250 – physical education
- 4275 – time in the open air
- 4350 – effective interventions
- 4400 – inmate communications
- 4405 – assisted prison visits
- 4410 – prisoner visits
- 4411 – prisoner letters
- 4455 – prisoners: name change
- 4460 – prisoners pay
- 4465 – prisoners financial affairs
- 4470 – Media access
- 4480 – prisoner reps
- 4550 – religion manual
- 4600 – Remand, JR & civil's
- 4615 – prolific & priority offndrs
- 4620 – confiscation orders
- 4625 – productions at court
- 4630 – immigration foreign nats
- 4650 – prisoners voting rights
- 4695 – DNA sampling
- 4700 – lifer manual
- 4745 – MAPPA
- 4801 – mother baby units 3rd
- 4950 – care of young people
- 4960 – detention under s 92
- 5000 – prison catering
- 5010 – prison service catering

- 6000 – parole release & recall
- 6100 – the bail system
- 6101 – bail information schemes
- 6200 – transfer of prisoners
- 6300 – ROTL
- 6400 – discharge
- 6650 – sentence calculation
- 6700 – home detention curfew
- 6710 – prison libraries

RECENT PRISON SERVICE INSTRUCTIONS

- 2010-037 - prisoners access to the media
- 2010-036 - new chapter 4 for PSO 4700
- 2010-035 - provision of eye tests
- 2010-034 - accommodation and support service for bail and HDC
- 2010-032 - prison discipline manual authority to conduct adjudications
- 2010-029 - indeterminate sentence manual amendments
- 2010-026 - travel and subsistence
- 2010-025 - permanent transfers
- 2010-024 - performance management policy
- 2010-023 - staff alcohol policy
- 2010-022 - tupe
- 2010-021 - exit management
- 2010-020 - keeping in touch policy
- 2010-019 - special leave policy
- 2010-018 - absence management policy
- 2010-017 - parental leave policy
- 2010-016 - confiscation orders
- 2010-015 - ending of ECL
- 2010-013 - prosecuting absconders
- 2010-012 - prolific and priority offenders
- 2010-011 - prisoners property change to prison and yoi rules

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Sex-On-Duty Cop Spared Jail



A high-response police driver ignored emergency calls while having sex at his lover's house, a court has been told.

Tim Reid, 41, of Widnes, Cheshire, was guilty of "complete foolishness" as he neglected his duties in favour of his desires, a judge said.

On one occasion the married father-of-one failed to respond to an incident in which a man was threatening to throw a petrol bomb.

The former officer with Greater Manchester Police walked free from court after he received a nine-month jail term, suspended for 12 months.

Reid began the affair in March 2009 with Michelle Harper two months after he was called to her address where a firearm was recovered and her boyfriend was arrested.

Manchester Minshull Street Crown Court heard the serving officer of 15 years felt sorry for her when the boyfriend stripped the house and so he went round with a TV and DVD player.

He then gave her his mobile phone number which led to him sending 216 flirtatious text messages to her while on duty over a two-month period.

Reid, of Beckenham Close, said he had sex with her on up to six occasions at her house while he parked his marked car outside - he was later filmed by undercover officers with the woman in his Volvo traffic car in Bury, north Manchester when he was supposed to be patrolling the local motorways.

Julian Hayhoe, prosecuting, said one text sent read: "I fancied you from the start. You have a great smile. Your eyes light up and have a naughty glint in them.

his passport application.

He pleaded guilty at an earlier hearing to two counts of misconduct in a public office and one count of disclosing public information.

Debra Whyte, defending, said that, prior to his conviction, Reid was held in "high regard" by his employers.

"This defendant regrets enormously the way in which he has conducted himself," she said.

"He acknowledges that this was a breach of trust. He acknowledges he has abused his position.

"Not only has he been dismissed from the police force, this has had a devastating effect on his relationship with his wife."

She said he was "fortunate" that his wife, who

I cannot believe I have entered a naughty relationship with a witness but I do not regret it."

The officer also discussed the ongoing proceedings of her boyfriend's arrest, criminals he dealt with and details of imminent arrests, the prosecutor said.

The relationship came to light when a neighbour reported to police that Reid's car had been parked nearby at regular intervals during the day.

Reid continued the affair for another month as he told Miss Harper to deny to officers that they ever slept together while he was on duty.

Reid also admitted accessing the police computer system to check on an individual on behalf of Miss Harper and also falsely declaring that he knew a son of her neighbour for three years when he counter-signed

attended court, was standing by him.

Both had acted as foster parents for some six years and his wife had given up her job to take on that role.

Miss Whyte said: "That is something they can no longer do. Not only has that been something that has affected the defendant but greatly affected his wife because she held that very dear.

"But she has chosen to support her husband.

"She describes how they are trying to rebuild their lives and move forward."

She added that Reid had found new employment, albeit on a far lower wage, and had an offer of another job but that would be lost if he was sent to immediate custody.

Sentencing, Judge Adrian Smith told Reid: "These offences represented a complete foolishness in what otherwise was a long and distinguished career as a police officer.

"You have effectively seriously neglected your duties because of your desire to engage in a sexual affair with a woman who you came across in the course of your duty and was a witness in the case concerned.

"It is necessary for the public to have complete faith and trust in police officers because you have been given considerable power, responsibility and privileges. You have seriously let them down over that period of time."

He added: "You have brought about a disastrous situation for yourself and potentially your family.

"This course of conduct has had a far-reaching effect on you and your long-suffering wife. You are extremely lucky that she is standing by you. You look suitably ashamed by what you have done."

Judge Smith concluded that the adverse financial impact on Reid's family if he was sent to jail meant the sentence could be suspended.

Reid was also ordered to perform 200 hours of unpaid work and pay a £200 fine, along with a £15 victim surcharge.

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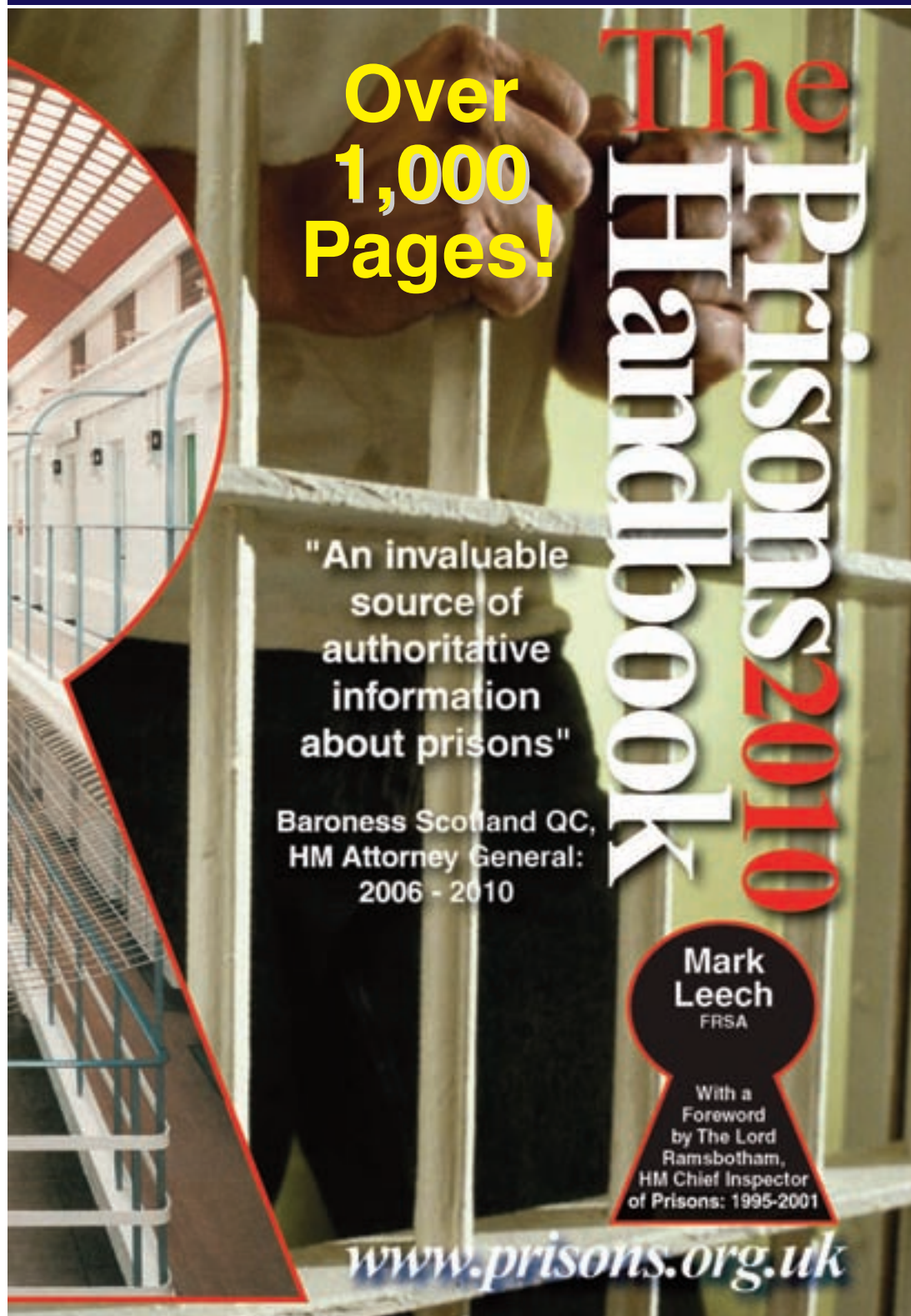
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Three Cops Face Sack Over Bungled Rape Inquiry



Victim: Candice Marsh (left) attacked the police investigation after serial rapist Kirk Reid (right) was left at large for 12 years

Three senior Scotland Yard officers could be sacked over failures by police investigating the crimes of sex attacker Kirk Reid.

The Independent Police Complaints Commission (IPCC) said the managers failed to make the case a priority as Reid stalked the streets of Wandsworth, south west London.

A report found the officers did not allocate sufficient

resources to catch the attacker or get a grip on the sprawling case during a bungled six-year inquiry. It focused on the failings of senior managers as other crimes in the borough - robberies, street crime and burglary - were given priority, and the sex inquiry was allowed to drift.

The officers, a superintendent and two inspectors, will now face a misconduct panel after independent

officials undertook a step-by-step review of what went wrong.

It is the second time Scotland Yard has been hauled over the coals by the IPCC for failings in the response of its officers to sex attackers.

Earlier this year the force was criticised for failing to take the victims of taxi driver rapist John Worboys seriously and not working harder to link his distinctive crimes.

Deborah Glass, of the IPCC, said managers were responsible for a "sustained failure" to tackle a long-standing pattern of offences in one London borough.

She said: "The failure to take a serial sex offender off the streets of London years earlier is a shameful chapter in the history of the Metropolitan Police.

"When considered alongside the failings in the case of John Worboys, their overall effect on the confidence of the victims of sexual offences in the police response cannot be overstated.

"That is damaging not only for victims, but for the many dedicated officers who have worked hard to make a difference."

Football coach Reid, 45, was jailed for life last year for 27 sexual offences, many of which took place along the A24 corridor in Clapham, Balham and

Tooting.

Police suspect he could be responsible for a further 100 crimes in which women were attacked in the street at night and indecently assaulted.

Independent officials questioned eight officers in management roles under caution after an internal review found police missed chances to stop Reid in 2002 and 2004.

Reid was caught within hours of the case being passed from borough officers to detectives at the force's specialist crime directorate in January 2008. The report said Wandsworth officers focused on the wrong man after the crime series was first identified in 2002 and persisted with him even after DNA checks ruled him out.

Officials criticised the work of a superintendent responsible for "crime management" in the borough for three years during which dozens of offences were apparently brought to his attention.

They found the superintendent, who will face a misconduct panel, cleared more than 50 files off his desk in December 2005, telling a more junior officer he did not want to see them back.

The two detective inspectors, who were responsible for the borough's Sapphire unit, which specialised in investigating sex crimes, will face a misconduct panel.

They were criticised for allegedly failing to act on a 2004 crime report identifying Reid and for allocating insufficient resources to the inquiry.

A chief superintendent received "words of advice" for failing to allocate more resources even though he believed specialist officers should have been brought in earlier.

A detective sergeant received the same low-level punishment for failing to identify Reid as a suspect during a four-week review of the inquiry in October 2004.

The IPCC review underlined missed opportunities to catch Reid that emerged during his trial at Kingston Crown Court last year.

Police stopped Reid in December 2002 after watching him follow a woman they suspected he was going to rob.

His name was added to a police database but no further action was taken as investigators focused on another prime suspect.

In January 2004, a man dialled 999 to report a man

in a red VW Golf had assaulted a woman and the registration number was traced to Reid.

A month later Reid was flagged up by a junior officer as a potential suspect for five indecent assaults.

By now Reid was among three key suspects for the offences but his DNA was not taken, despite samples being recovered from some victims.

A surveillance camera was put above his front door in April 2004 but only recorded for a week due to technical problems.

Later that year, senior officers held further meetings to review the crimes, but Reid's name had fallen off their list of suspects.

IPCC officials said detectives continued to focus on another prime suspect in 2005, despite the fact DNA evidence ruled him out.

Reid's name cropped up again in October 2006 after further analytical work listed 11 suspects.

But his DNA was not taken, even though he was one of only three suspects whose profile was not held by police.

The IPCC said the inquiry was then left with no-one working on it as one detective was assigned to chasing robbers and another took a "career break". Reid was identified as the prime suspect within hours of the file being handed to specialist officers in January 2008 and he was arrested three days later.

Mrs Glass added: "The lack of resources allocated to the investigation, pressure in relation to performance and targets, and the constant change of heads of department undoubtedly did not help.

"But in my view none of these factors provides real mitigation for the sustained failure by senior supervisory officers to give this investigation the priority it required and to get a grip on what was plainly a long-standing pattern of terrifying offences committed within a single borough."

Commander Maxine de Brunner, of the Metropolitan Police, apologised to Reid's victims for failing to catch him more quickly.

She said the force had overhauled its response to sex crimes as a result of the Reid and Worboys' cases.

Mrs de Brunner said a new command unit was now responsible for co-ordinating inquiries into 6,000 sex crimes every year.

She said: "A rise in recorded crimes suggests that there is a greater awareness amongst the general public about rape investigations and as a result more victims have come forward to report sexual assaults.

"However, the Met is not complacent. We understand and seek to ensure that victims of rape are treated properly and sensitively.

"They must feel reassured that every possible line of inquiry has been exhausted in an attempt to bring any offender to justice."

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"The failure to take a serial sex offender off the streets of London years earlier is a shameful chapter in the history of the Metropolitan Police."

**Deborah Glass:
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Time For 'A Grown Up Debate' On Prisons Says Probation Chief



The public have been asked whether it was worth the risk of freeing some serious criminals early in order to help keep a lid on the huge cost of the prison population.

Andrew Bridges, the chief inspector of probation, called for "grown-up choices" to be made over the cost and benefit of keeping offenders in prison compared with managing them outside.

Unveiling his annual report, he said: "It would be timely to reflect on the public's expectations of this work, and the price we're all collectively prepared to pay for it.

"Do we want to keep around 60 people in custody to prevent just one from reoffending?

"Or is the public prepared to accept the 'cost' of having more prisoners managed in the community to achieve what could be substantial financial savings?"

Mr Bridges revealed about 2,500 such prisoners were currently in jail beyond their minimum term, costing the taxpayer £80 million a year.

He said this group could commit up to 40 serious crimes a year - arguing it effectively cost £2 million per year to prevent each crime.

Mr Bridge's comments came as union leaders called on the Government to scrap the wasteful and bureaucratic "forced marriage" between probation

and prison services, saying it undermined work to supervise criminals and prevent reoffending.

A report compiled by the National Association of Probation Officers (Napo) said the National Offender Management Service (Noms) service had failed to deliver its main objectives.

The union said prison staff with little experience of working with offenders in the community dominated the relationship.

This had created a dysfunctional situation in which those with limited knowledge and experience outside of prisons dictated policy and strategy.

Napo claimed the Government could save up to £300 million by reducing bureaucracy, avoiding duplication and ending the requests for information by Whitehall.

Harry Fletcher of Napo said prison and probation staff were pulling in different directions and the approach was "flawed from the beginning".

He said: "The last two years in the merged organisation has been disastrous for probation and its role and presence has been further eroded as each week has passed.

"The case for the creation of a separate operational arm for both prisons and probation each with its own director is now overwhelming.

"Such a change would have two beneficial results,

it would cost less and it would improve outcomes in terms of less reoffending and fewer victims."

The call will be studied with interest by the coalition Government which has announced plans to shake up the criminal justice system, focusing on rehabilitating criminals and reducing the number of prisoners.

The prison population reached 85,074 last month, and it now costs around £45,000 to keep a prisoner locked up for a year.

Noms was created in 2004 bringing the Prison Service and National Probation Service under one umbrella following a review to provide "end to end" management of criminals across England and Wales.

Frances Crook, of the Howard League for Penal Reform said Noms has become a byword for "waste, centralisation, bureaucracy and managerial gobbledegook".

She said: "This top-heavy, opaque agency was meant to bring together prison and probation in 'end-to-end offender management'.

"But as the Napo briefing shows, in reality the prison and probation services have fundamentally different approaches to reducing reoffending as they work in completely separate environments.

"Prison is not the community and the community is not prison. Prisons are closed institutions which are managed in a top-down, rigid manner.

"By contrast, working in the community requires a localised and flexible approach which the probation service has long specialised in."

A Ministry of Justice spokesman said: "The Noms agency brought together staff at national and regional level to support the delivery of prison and probation services at a local level. This has streamlined management structures and reduced overhead costs by £34m so that more resources are focused on frontline delivery.

"As part of the wider spending review, the Government will take a root and branch look at the Noms organisational structure.

"This will ensure that the Noms headquarters is as lean and focused as it can possibly be to deliver the savings that are needed, while providing appropriate support for effective local delivery of offender management throughout all communities in the country."

HMYOI Stoke Heath Criticised

Inspectors found conditions at HMYOI Stoke Heath to be very "disappointing".

Stoke Heath which holds adults and young people aged 15 to 17, shows the wider neglect in the prison system of 18 to 21-year-olds, said the Chief Inspector..

She said: "This is a disappointing report. Outcomes for young adults at Stoke Heath were not sufficiently good in any of our four key areas: safety, respect, purposeful activity and resettlement.

"Their needs were much less well catered for than those of the under-18s at Stoke Heath, and in many cases little would be done to reduce the significant risk of their reoffending.

"This is partly a management issue for Stoke Heath: to ensure that opportunities are used effectively and young adults are engaged with and supported. But split sites like Stoke Heath also show the relative neglect of this risky and vulnerable group throughout the prison system, compared to the specialist focus on under-18s - since the previous government's promise to replicate this for 18-21 year olds was never fulfilled."

A spokeswoman for the Inspectorate of Prisons said Stoke Heath was one of only two remaining split sites, holding young people of those age groups.

She added: "The inspectorate has repeatedly expressed concern that the focus and resources available to meet the needs and risks associated with young adults are inadequate. Stoke Heath amply demonstrated that concern."

Inspectors found that processes for the reception and support of young adults in the early days in custody were inadequate, a high proportion of young adults had felt unsafe, and bad language often went unchallenged, while the environment was dirty and uncared-for.

Inspectors were, however, pleased to find that the segregation unit was now well run, health care was in general very good, with some high quality mental health provision, and some of the resettlement work on accommodation, family support and substance misuse was well developed.

Michael Spurr, chief executive officer of the National Offender Management Service, said: "I note the concerns the Chief Inspector has outlined in areas like early days in custody, safety, and vocational training provision. The Governor and staff will work to address these issues to build a safer and more purposeful environment at the prison."

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Prisons Inspector Slams Immigration Removal Centre



A year-old immigration removal centre was slammed by inspectors as "fundamentally unsafe" with "serious" problems, including bullying, violence and drugs, according to a report just published.

Brook House at Gatwick airport opened in March last year and holds around 400 men, most of whom are awaiting removal from the UK.

But inspectors said challenges posed by opening a new centre and dealing with ex-prisoners and difficult detainees were no excuse for the problems identified during the inspection in March.

Dame Anne Owers, Chief Inspector of Prisons, said: "New custodial establishments frequently experience early difficulties as staff and detainees get used to their new surroundings and each other. "However, by the time of this first full announced inspection, a year after the centre opened, managers could be expected to have resolved teething problems.

"Instead, we were disturbed to find one of the least safe immigration detention facilities we have inspected, with deeply frustrated detainees and demoralised staff, some of whom lacked the necessary confidence to manage those in their care."

The inspectors found only a third of detainees said they felt safe on their first night.

The centre was designed on the assumption men would stay for only a day or two, but the reality was many stayed for weeks or months, according to the report.

Inspectors highlighted insufficient activity and education provision to occupy detainees, 11 of whom had been in the centre for more than 10 months.

Staff felt "embattled" and lacked the confidence to deal with bad behaviour by detainees and the use of force was high, the report found.

Living accommodation was "noisy and institutional" while drugs were a "major concern" and inspectors were unable to identify a "systematic approach" to preventing drug supply and use.

Positive aspects of the report included the fact that those at risk of self-harm were well cared for and

"We were disturbed to find one of the least safe immigration detention facilities we have inspected, with deeply frustrated detainees and demoralised staff, some of whom lacked the necessary confidence to manage those in their care."

Dame Anne Owers

faith provision was good.

Dame Anne said: "The challenges of opening a new immigration removal centre should not be under-estimated, particularly with inexperienced staff and challenging detainees, many of them ex-prisoners.

"The challenge at Brook House was significantly compounded by poor design which built in boredom by providing too little purposeful activity on the erroneous assumption that detainees would be staying only a few days.

"But none of this can excuse the

fundamentally unsafe state of Brook House, which must be urgently addressed by G4S and UKBA."

David Wood, strategic director for criminality and detention for the UK Border Agency, said: "We are extremely disappointed with this report, but accept its broad conclusions.

"That is why we have acted so swiftly to implement the vast majority of the improvements recommended.

"Since the inspection, we have introduced an anti-

bullying policy and additional support for staff, including designated mentors.

"We are also developing a comprehensive drugs strategy for the estate to supplement the intelligence-led approach we have to preventing drugs coming in and being used in the centre.

"We are continuing to build excellent working relationships with the local police which have already led to a number of drugs prosecutions.

"The vast majority of detainees in Brook House have committed very serious crimes, including drugs, sex and violent offences.

"The centre therefore faces a number of challenges on a daily basis. We are absolutely committed to meeting these challenges and the remaining improvements will be made in the next few months."

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'Rent Boy' Judge Resigns

A senior circuit judge has resigned after claims about his private life.

Judge Gerald Price QC was suspended last year following allegations in a newspaper about the judge and a male prostitute - newspapers alleged that Judge Gerald Price paid the rent boy for sex and lavished gifts on him, it was also claimed that the Judge had allowed the boy to sit with him during trials at the Crown Court and even consulted him

about sentencing that he should impose in particular cases.

The Office for Judicial Complaints said Judge Price had now resigned following an investigation into allegations about his conduct.

The Lord Chancellor and Lord Chief Justice had already informed him his behaviour merited removal from office.

Judge Price's resignation took effect from 30 June,

before the disciplinary process was formally concluded.

A spokesperson for the Office for Judicial Complaints said: "Gerald Price QC, a circuit judge who was appointed to the Wales Circuit in 2000, has resigned from judicial office following an investigation into allegations about his conduct originally published in the media in June 2009.

"Whilst the media reported a number of allegations against Judge Price, the judicial investigation only focused on those that had an impact on his role as a judge.

"The investigation found that his actions brought the judiciary into disrepute, rendering his position untenable.

"In the light of the investigation, the Lord Chancellor and Lord Chief Justice informed the judge in December 2009 that they considered his behaviour merited removal from office."



The spokesperson said Judge Price had asked for the decision to be reviewed, but the review body panel agreed with the original decision and recommended he be removed from office.

Judge Price, who is married, usually heard cases in Swansea but also sat in Cardiff and Carmarthen.

The Judge who earned £148,000 a year has now left the legal profession and when asked what he intended to do in the future he declined to comment.

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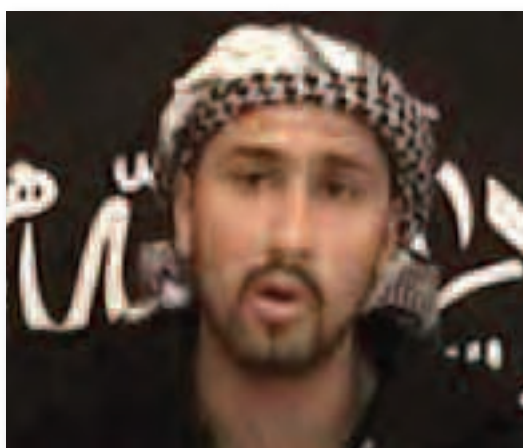
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Terror Plot Trio Sentenced to Life



Three men have been sentenced to life in prison after being convicted of plotting to kill hundreds of people in a terrorist attack.

Ibrahim Savant, Arafat Waheed Khan and Waheed Zaman, who were recruited by the ring leader of an al Qaida-inspired plot to detonate home-made liquid bombs on transatlantic jets, were told they would serve minimum terms of 20 years.

Mr Justice Holroyde told Woolwich Crown Court that the men intended to kill "an uncertain but potentially large number of innocent men, women and children".

Mastermind Abdulla Ahmed Ali had developed a

home-made hydrogen peroxide bomb which could be disguised as a soft drink to be carried through security and assembled afterwards.

Along with another man, he was found guilty of his role in the airline plot last year.

Ali recruited friends and associates to act as suicide bombers as they recorded martyrdom videos at a flat in Walthamstow, east London, and singled out seven transatlantic flights which departed within two and a half hours of each other as targets.

Mr Justice Holroyde said the men sentenced today were "foot soldiers" and did not know their intended targets and took no part in its planning or in assembling the explosives.

But he said: "Each of you agreed to join with others in this conspiracy with each of you intending that you would kill members of the general public and yourselves by acting as a suicide bomber."

He added: "In furtherance of that conspiracy, each of you recorded a suicide video in which you described yourself as being blessed by the opportunity to take part in that mission."

The trio were cleared by a jury of their role in targeting aircraft but found guilty at a retrial of plotting mass murder.



The verdicts bring to an end a sprawling series of trials following an August 2006 operation to smash the largest terrorist plot ever discovered in Britain. The police and MI5 inquiry would eventually cost more than £30 million and led to widescale and unpopular restrictions on carrying fluid on aircraft. If successful, the explosions could have exceeded the carnage of the September 11 attacks.

Mr Justice Holroyde said the men's faith had been

corrupted, saying: "I accept that each of you were recruited by Ali and by all I have heard and read in this case, I accept he was a very powerful personality."

Savant, 29, of Stoke Newington, Khan, 29, of Walthamstow, and Zaman, 26, also of Walthamstow, showed no emotion as they were sent down.

All three had denied a charge of conspiracy to murder.

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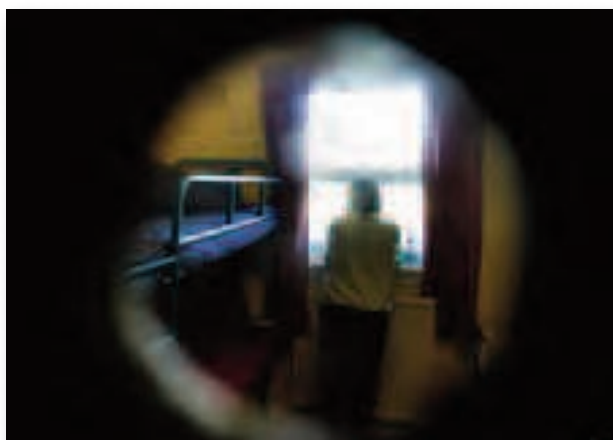
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Female Prisoner Numbers Growing Faster than Males



She said: "Women offenders are dealt with badly because the criminal justice system is geared to dealing with men. "They have been swept up in the move to ever toughening sentences and moves to ameliorate this have been weak and ineffective."

Prof Hedderman, who previously worked in the Home Office Research and Statistics Directorate and has also served on the Parole Board, said between 1997 and 2008 the male prison population had risen by 35%, whereas the number of women in jail had gone up by 68%.

"One of the things people always say is women only constitute a tiny proportion of the prison population which is true, but the question is why has it gone up so much," she said.

"There is a lot of talk about girls being more like ladettes, is it because girls have become more violent?"

"It's true that the number of arrests for violence has gone up a bit, but the number of men arrested for violence has gone up four times so that doesn't necessarily explain it.

"Most of the women who come into the criminal justice system are being dealt with pre-court.

"Even when they come to court many are still being

The number of women in prison is growing much faster than the number of men despite their crimes often being less serious new research reveals.

Carol Hedderman, professor of criminology at the University of Leicester, said looking at the growing number of women in jail could eventually help lower the prison population overall. Her paper, based on official Government statistics, is due to be presented at a 2010 British Society of Criminology conference at the university.

It will argue more radical changes are needed to reduce the number of women going to prison, and cut overall inmate numbers.



dealt with for much more trivial matters which again raises the question of why their population is going up."

She said when women are convicted 94% are for minor offences, compared to 76% of men.

"We don't fully understand that but one of the things we do know is they are being swallowed up in the generally more punitive emphasis," she said.

"I think my bottom line is if you really want to reduce the prison population start with women."

She said women often served short sentences for lesser offences, which meant prison was more disruptive for them.

In 2008 the average length of sentence for women convicted of indictable offences was 10.7 months while for men it was 16.6 months, she said.

In the same year, 54% of sentenced men received less than six months compared with 64% of sentenced women.

"That means if you go into prison as a woman you won't be there long enough for anything to be done with you and you won't be supervised after," she said.

"What prison has done is maximise the disruption, losing your job, your children going into care, losing your accommodation. The impact is much worse.

"It's not that I'm arguing women shouldn't go to prison for the same offence - if they have done something as serious as a man they should be punished the same.

"But quite often what you find is what they are being sent to prison for is more trivial, because there is not much else out there to help them."

She said Labour had started supporting programmes for women offenders but she feared this would not continue with the coalition Government.

"My concern is that the new Government is likely to cut this because it's small amounts of money and there aren't many people out there campaigning for women offenders," she said.

"There's a whole pecking order of people you think of first. They are an unsympathetic group.

"Women offenders are basically the bottom of the socially-excluded heap."

Cop 'Warned' After Breaking Suspect's Pelvis

A police sergeant has been given just a written warning for chasing a suspect and then pinning him against metal railings with a patrol vehicle which broke his pelvis.

The police sergeant was driving a marked Mercedes Sprinter van when he noticed a suspicious car in Nottingham in the early hours of February 21, 2009. He followed the car, which then stopped, and the driver ran off, chased by other police officers.

The sergeant drove the police van across both carriageways of the road, mounting the pavement and pinning the suspect against metal railings, fracturing his pelvis.

Nottinghamshire Police referred the incident to the IPCC and the injured man also complained, claiming the use of the van was a deliberate assault as well as unnecessary and disproportionate.

The IPCC said on Thursday that its independent investigation found that the sergeant should not have tried to chase the car as it was against force policy and the van was not suitable for a pursuit.

A spokeswoman said he was not sufficiently trained or authorised to carry out the pursuit and made an unacceptable manoeuvre in

driving across the carriageways and mounting the footpath.

The spokeswoman said the IPCC found that the police sergeant and a control room operator had a case to answer.

The Crown Prosecution Service decided he had no criminal case to answer, but he received a written warning from the force for undertaking an inappropriate and unacceptable manoeuvre while the control room operator was to receive management action for failing to follow procedures but this had been discontinued due to welfare issues, the spokeswoman said.

The suspect driving the car was later given a suspended prison sentence after he was convicted of driving with excess alcohol, and driving while uninsured.



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Criminal Justice System 'Not Working' Says PM



David Cameron has said Britain's criminal justice system was not working and was in need of urgent reform.

The Prime Minister was speaking as it was disclosed that Justice Secretary Kenneth Clarke is "sympathetic" to proposals for a shake-up of murder laws that could see some murderers serve less time in prison.

Justice minister Lord McNally told peers at House of Lords question time yesterday that the Government was "mindful" of the recommendations of a 2006 Law Commission report which suggested a system of first and second degree murder.

"This is one of the issues that the Government will be looking at in its review of sentencing policy in general," Lord McNally said.

Mr Cameron told the Daily Mail that 10% of sentences could be affected by the review ordered by Mr Clarke.

He said sentences of one or two months were "pretty meaningless" and the black hole in public finances meant Britain could no longer afford to jail

offenders for short periods only to see them reoffend.

"The truth is you have to have some short sentences because they are absolutely necessary, but it (is) also true that sending someone to prison for a period of one month or two months is pretty meaningless in terms of actually being able to reform them."

Instead the Prime Minister will consider proposals for local referendums to choose community punishments.

"All ideas of making people feel they have more power and control over government and their lives and the criminal justice system, those are all things we can look at."

He continued: "We have to face the fact that we have a criminal justice system that isn't working at the moment."

"We're banging people up at vast expense, half of them are on drugs, over 10% aren't meant to be here at all because they're foreigners, and the reoffending rate is dreadful.

Commission report put forward a range of alternatives that would give "a degree of flexibility" to the judiciary.

Under the proposals the courts could set sentences for those guilty of second degree murder which would mean all murderers would not automatically face mandatory life sentences.

"I do know that in looking at the matter the Lord Chancellor is sympathetic to the line taken by the Law Commission," Lord McNally said.

He added that the previous government brought forward some "part proposals" from the report and the new administration was "now looking at this with some urgency".

"We also have to face the fact that the Government has been left an appalling legacy of no money. So we have to be reformers. Now that doesn't mean being soft, it means making sure that punishment and rehabilitation go together." Lord McNally said the Law

Lord Lloyd of Berwick, a crossbench peer and former law lord, had told him that reform of the law of murder was "now long overdue".

"It is the mandatory life sentence which distorts this branch of the law and stands in the way of much-needed reform," he said.

He asked Lord McNally: "Are you aware of any other country, whether in Europe or the Commonwealth, which has a mandatory sentence of life imprisonment in all cases of murder, including, for example, cases of mercy killing?"

Lord McNally said he suspected that Lord Lloyd was right that there were "few" other examples.

A Ministry of Justice spokesman said:

"The Secretary of State has yet to consider the findings of the Law Commission's report.

Any speculation on what the Government will do with this issue is premature, but everything is being fully considered."

The Government Plans to Introduce First and Second Degree Murder Charges, scrapping mandatory life sentences, and it also intends to scrap sentences of up to two months because the Prime Minister says they are 'Pretty Meaningless'

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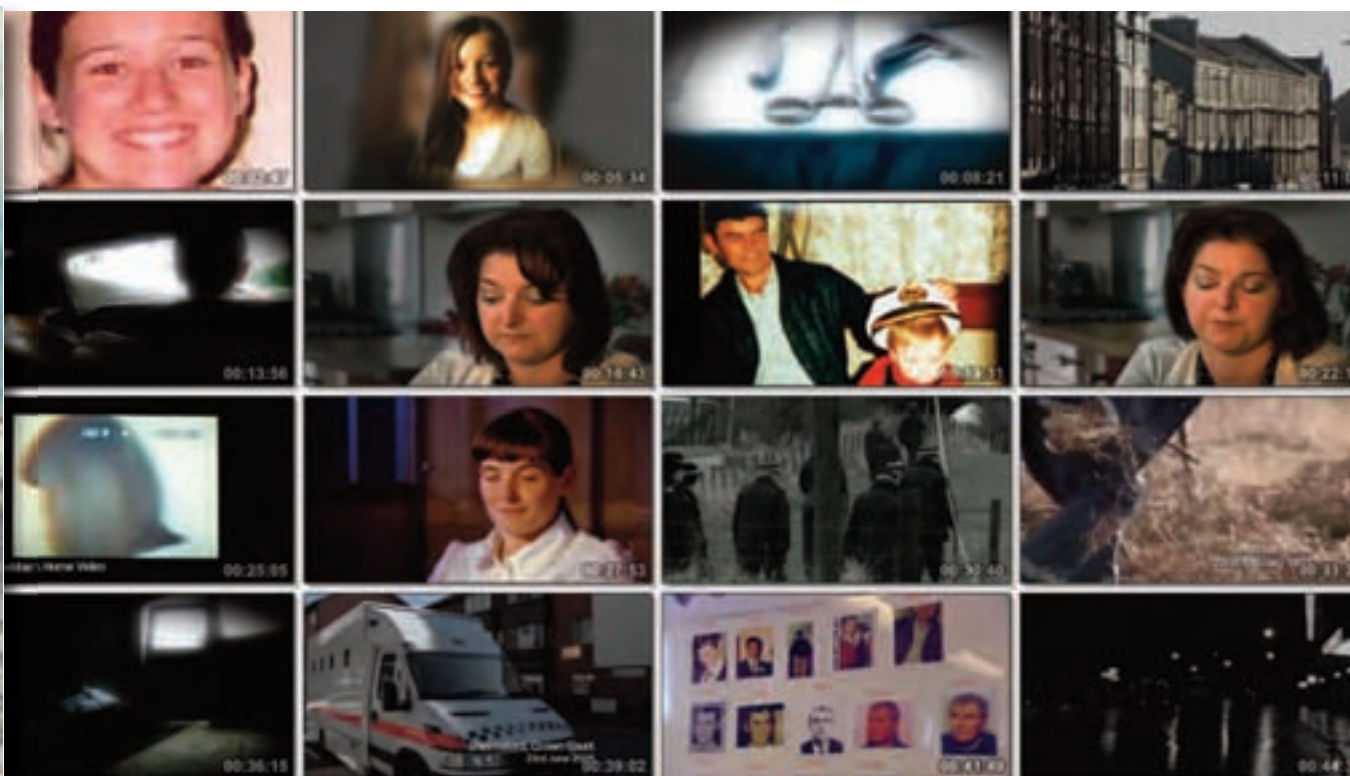
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Is Peter Tobin Britain's



police wanted to check to see if there was anything under it. Using ground-penetrating radar and shovels, teams are searching for bodies or other evidence left by Tobin, 63, when he lived at the addresses in the 1980s.

Mr Taylor said the decision to concentrate on the Portslade address was a purely logistical one, with further test trenches being dug today to determine which areas of the garden may have been disturbed.

"Hopefully by the end of the day we will have a clearer idea as to when we can start digging properly," he said.

"When or if we find something, it will then take time for forensic tests to determine what they are." He said the radar equipment was able to penetrate through ground as dense as concrete down to a depth of two metres.

Police said they had received around 20 phone calls from members of the public offering information on Tobin since beginning the searches in Brighton.

Detectives are convinced he killed more victims as he lived across Britain under different names and trawled the motorways for

and cleared the garden.

Investigators said they would also like to speak to the previous tenants of 67 and 67a Station Road, Portslade.

Marine Parade is a large housing association block of flats which backs on to a small area of grass and concrete paving.

Tobin worked as a caretaker at the Marine Parade property when it was the Seafront Hotel in the late 1980s. It was converted to bedsits in 1992.

Mr Taylor repeated an appeal to trace the building company which carried out the conversion work.

Investigators have refused to go into detail about why police were targeting the two properties or what cases they may be linked to.

A police spokeswoman said 20 families have been contacted by police about the latest search, with some of them appointed family liaison officers.

Detectives are believed to have narrowed down their review of unsolved murders and disappearances linked to Tobin to nine cases.

These may include the murders of art student Jessie Earl, 22, whose body was found in 1989, and Louise Kay, 18, who disappeared in Eastbourne in 1989. Her body was never found.

There are several other possible cases including law student Pamela Exall, 22, who vanished in Norfolk in 1974, schoolgirl Patricia Morris, 14, who went missing in Essex in 1980, and Suzanne Lawrence, 14, last seen in Essex in 1979.

Other cases include the murders of three women in Glasgow in 1968 and 1969 by a figure nicknamed "Bible John" and the deaths of schoolgirls Karen Hadaway, 10, and Nicola Fellows, nine, in Brighton in October 1986.

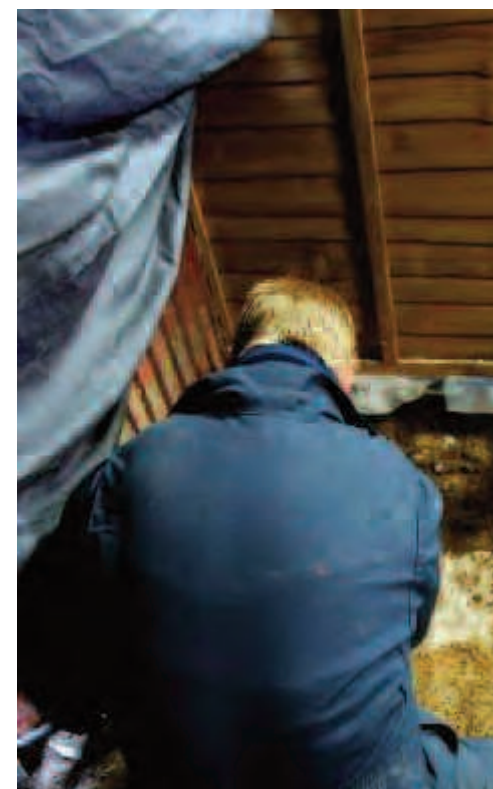
Detectives attempted to speak to Tobin in prison about the latest developments but he refused to talk to them and they remain keen to unravel further details of his life, particularly where he lived in 1977 and 1978.

Police said Tobin used several aliases, mostly variations of the same name, during around two decades in Brighton from 1969 when he lived at homes in Dyke Road, Regency Square, Eastern Street and Chadborn Close.

The search teams include members of the Home Office's scientific support branch and

officers from the Metropolitan Police as well as Sussex Police experts and archaeologists from University College London.

The itinerant serial killer lived in several other towns and cities, including Glasgow, Margate in Kent, and Havant, Hampshire. Police said he may have owned more than 100 vehicles and used 40 aliases.



Police searching gardens linked to serial killer Peter Tobin (above) have said they would also be searching the interiors of the properties he once lived at.

Teams of officers and archaeologists were continuing their searches outside two of his former homes in Brighton, East Sussex, as part of a nationwide inquiry to determine whether he was responsible for any other murders.

Police have been concentrating on the address in Station Road, Portslade, as they said the investigation was more progressed there than at Marine Parade. Speaking outside the property, now fronted by a hairdressing salon, Chief Inspector Laurence Taylor said the search would also include the ground floor and basement areas at both locations.

He said an extension had been built at the back of the Portslade property since Tobin had lived there, which

vulnerable female hitch-hikers.

Tobin was told last December that he would die in jail after he was convicted of strangling 18-year-old Dinah McNicol.

The former church handyman was already serving life terms for the murders of 15-year-old Vicky Hamilton and Angelika Kluk, 23.

Police discovered the remains of Vicky and Miss McNicol buried in the garden of a house in Margate, Kent, where Tobin moved in March 1991.

Police said the searches behind flats in Marine Parade, Brighton, and the hairdressing salon in Portslade could continue for a month.

The salon was once a cafe, Ye Olde Tea-room, run by Tobin in 1988 with his future wife, Cathy Wilson, and their baby son.

Neighbours recall Tobin doing a substantial amount of DIY on the property as he converted it from a junk shop





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ACCOMMODATION & FACILITIES: Young adults and young people occupy different residential units. There are currently 8 units for young people; this includes Bittern as first night and induction unit and Heron which has recently been opened under the new diamond incentive. Each Unit holds 30 young people. On the young adult side there are 10 Units, 8 of which hold 56 young adults, one that holds 44 and one Enhanced Unit of 16.

Almost all the young

people's rooms are for single occupation. There is a mixture of double and single accommodation on the young adult side. All rooms have integral sanitation and TV and all areas operate the IEP scheme (incentives and earned privileges scheme). There is a robust anti-bullying policy in place. Locked complaint boxes are located on each unit for young adults and young people to make complaints. We have a diversity manager and race relations diversity senior officer; we also have an equal opportunities/disability manager. There are PIN Phones on each unit and every young adults and young person arriving at Feltham is given his own PIN number with an automatic £2 of credit. Any money for the young people and young adults should be sent in the form of a postal order which should be made payable to HM Prison Service and have the young people's name and number on the reverse.

SHOP: A bagged canteen system. Boys can preorder their canteen on a Tuesday afternoon/Wednesday morning, which is then delivered the following Saturday.

VISITS: Directions: By train to Feltham rail station or underground to Hatton Cross and then bus H26 which runs to the prison every 20 minutes. Alternatively ten minute taxi ride. Legal Visits: Weekdays only. Booking Line 0208 844 5564. Open Monday to Friday 0900 to 1145 and 1300 to 1630. Private rooms, video and DVD playback facilities are available on request. Recording equipment only accepted by prior agreed faxed application. (Laptops, Dictaphones, etc.) Social Visits: Booking Line 0208 844 5400. Open Monday to Friday 08:30 to 20:00 and Saturday and Sunday 08:30 to 11:45.

PLEASE NOTE THAT A BOOKING IS REQUIRED TO VISIT. Young People (15-17 years) can visit on Tuesday, Thursday and Saturday afternoons 13:30 to 16:30. Young Adults (18-21 years) can visit on Monday, Wednesday and Friday afternoons 13:30 to 16:30. Alternate Sunday Visits for Young People and Young Adult, Afternoons 1330 to 1630. No property accepted on Sundays. No entry permitted after 10:40 for morning visits and 15:40 for afternoon visits. Notes: There is a Visitors Centre with limited facilities. Open 12:00 to 16:45 daily. Food can be purchased in the Visitors waiting area.

EDUCATION: Education is held in two separate areas, one facility for the over 18's and one for the 15 to 17 years age group. All young people and young adults are given an education assessment upon arrival to determine their educational needs. The over 18's are offered a college type part-time curriculum based on a core subject that includes embedded Literacy and Numeracy classes. The 15 to 17 age group are detailed to groups according to their assessment outcome, they are offered a broad based curriculum, with a strong emphasis on Skills for Life (Numeracy Literacy and ESOL). VSE (Voluntary Supported Education) offer one to one help with Literacy and Numeracy and work alongside the Education Department as well as in the Vocational Training workshops. The time spent in education contributes towards the young people's target of 25 hours purposeful activity per week.

The Library at Feltham offers one hour slots to every young person at Feltham. There are also 6 linked computers that students can access various interactive programs, which include the Driving Theory Test practice program

WORKSHOPS: In the workshops all training is nationally accredited. These include Bricks, Painting & Decorating, Horticulture, PICTA (computer workshop) Motor Vehicle Workshop, Unit 5 Performing Arts, Recycling, Laundry, as well as an Industrial Cleaning Workshop. The Staff Restaurant also has an NVQ Food Preparation and Cookery course available. Every young person taking a course is also offered Functional Skills. There are a number of servery and orderly jobs on each Unit as well as in the kitchens and gym.

HEALTHCARE: Primary Care provides 24 hour nursing cover and amedical out of hour's service 1700-0900. A medical practitioner is on site Tuesday, Thursday, 0900 to 1700, Monday, Wednesday, Friday, Saturday and Sunday, 0900 to 12.00. There is a 15 bed inpatient mental health unit and a dedicated 16 bed clinical substance misuse unit.

GYMNASIUM: National and Local accreditations are offered in the gym including Key Work Skills. Young people at Feltham can also achieve the Duke of Edinburgh Award. The gym staff holds weekly sessions to address Offending Behavior with the Offender Management Unit and Drug Misuse Team.

CHAPLAINCY: The Chaplaincy at Feltham consists of a Centre for all the faiths staffed by a team of over 20 full and part time chaplains.

FOOD: Training is available in basic food hygiene, life and social skills – welfare to work (catering), group and teamwork (catering), practical crafts (catering). An NVQ Food Preparation and Cooking Level 1 and 2.

ESTABLISHMENT REPORTS. HMCIP JULY 2010 Feltham is a high-profile establishment with a chequered history. It holds a challenging and complex mix of remanded and sentenced young people, both children and young people (15-18) and young adults (18-21). The establishment has a single management team but the two age ranges are held

separately. Accordingly, inspectors from both our juvenile and young adult teams conducted this full announced inspection simultaneously, and our findings are recorded in a single report drawing distinctions where necessary. Commendably, we found that both parts of Feltham were continuing the slow but consistent progress that we have recorded in recent inspections. This is no mean achievement, although we point to a number of areas where further progress is required.

Feltham remained a volatile and difficult environment in which to ensure safety. Fights between young people were frequent, and vestiges of youth gang culture were inevitably imported into the establishment. Nevertheless, young people generally reported feeling safe. Safety procedures were robust and staff worked hard to maintain an ordered and civilised atmosphere. However, in seeking to maintain order and control, staff placed heavy reliance on use of force, segregation and special accommodation. The appropriateness of these responses must be kept under continuous review and, wherever possible, replaced with less confrontational strategies.

Early days in custody were generally well managed. Suicide and self-harm arrangements were effective, but would benefit from more trained Listeners. Similarly, while child protection arrangements were sound, they would benefit from greater involvement from the local authority.

Accommodation remained of a reasonable standard. Relationships between staff and young people were generally good and were supported by an improving personal officer scheme. Appropriately, diversity was a key focus for managers, both because of Feltham's difficult history and because two-thirds of young people were from black and minority ethnic backgrounds, and over a third were foreign nationals.

It was of concern that young people had little confidence in the applications and complaints processes, which required much more robust quality assurance. More positively, the work of the chaplaincy was greatly appreciated by young people, and health services were generally very good.

Despite most young people staying only a relatively short time, Feltham managed to provide an impressive amount of purposeful activity. The quality of education and training for young adults was good, and very good indeed for children and young people. The amount of time out of cell was reasonable, as was the quality and consistency of association. The library provided a very good service, and PE arrangements were impressive.

There was an up-to-date reducing reoffending strategy, but it was not based on an overarching needs analysis, and there were no separate action plans for each resettlement pathway. The day-to-day management of resettlement was generally sound, and offender management arrangements were well established, but there was scope to improve sentence planning for young adults and to make training planning for children and young people more multidisciplinary. Young people on indeterminate sentences were well managed. There was a reasonable amount of effective work taking place along all the pathways.

The scale of the challenge of managing the volatile population of young people held at Feltham should not be underestimated. The establishment has worked hard to ensure a safe and ordered environment in

which young people generally feel safe. This is a daily balancing act in which managers must ensure that strategies are reviewed to balance care and control properly. Overall, we found that this balance had been achieved, supported by good relations between staff and young people and an impressive range of activities and resettlement arrangements. This is commendable and, while we inevitably suggest areas for further improvement, staff and managers should be congratulated for what has so far been achieved.

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Area: London

BACKGROUND: Feltham is situated 2 miles west of Feltham railway station. The original Feltham was built in 1854 as an Industrial School and was taken over in 1910 by the Prison Commissioners. The existing building opened as a Remand Centre in March 1988. HMCIP published their latest (very positive) report in July 2010 .

KEY OFFICIALS:

DOM: Digby Griffith

Area Manager: Nick Pascoe

Governor: Cathy Robinson

IMB Chair: Yvonne Payne

MP: Alan Keen (Feltham & Heston)

REGIME: Young Adults - Weekdays: 0745 hrs Breakfast in room. Morning activities movements commence at 0815 hrs and return at 1145 hrs. A cold lunch is served in room at 1200hrs and units are in patrol state until 1315 hrs. Movements to activities commence at 1330 hrs and at 1630 hrs activities cease and young adults return to units. The evening meal is served at 1700hrs after which young adults return to room during the patrol state. From 1800 - 1930 hrs evening activities.

Young People – Weekdays: 0730 unlock. 0745-0815 breakfast. Education, workshops & activities commences at 0830. Activities cease at 1145 Lunch served at 12.00-12.15 and taken in room. Afternoon activities commence at 1315 hours. 1330 movement to education, workshops & activities. 1645 cease activities. Evening meal is served at 17.00 and is dined out of room. Roll check. 1730. 17.45 Evening



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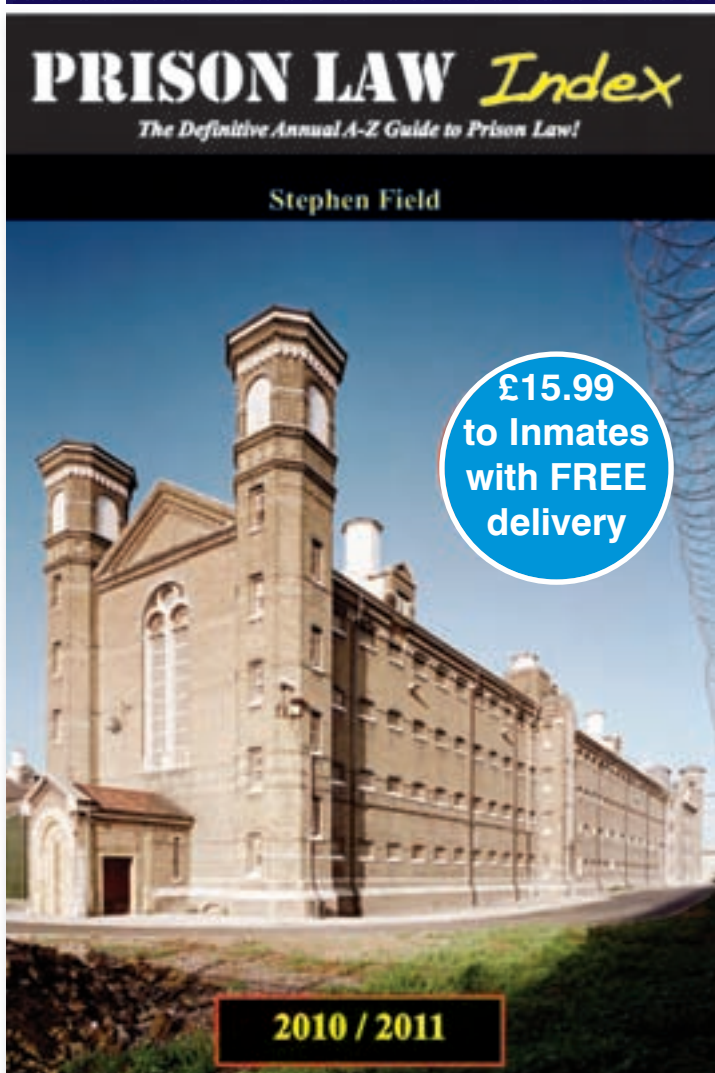
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Its 250 pages are packed with all the latest information and its A-Z style is a breeze to use. From 'Access to Justice' through to 'Zoonotic infections' you'll have all the information you need at your fingertips.

If you wish to obtain the monthly updates the cost is just £12 a year - £1 a month - updates are available only by email, so you'll need a friend or family member to register for this service who can print them off and send them into you each month. Here are just some of the topics covered in the book!

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Tomlinson Cop Could Be Sacked 'Within Weeks'



The riot squad officer who struck Ian Tomlinson minutes before he died faces the sack 'within weeks' for gross misconduct, it emerged yesterday.

PC Simon Harwood, a member of Scotland Yard's Territorial Support Group, has been told he will face a disciplinary hearing over his actions at the G20 protest in London last year.

Although he was filmed hitting Mr Tomlinson with his baton and pushing him to the ground, the officer escaped criminal charges last week after senior prosecutors ruled conflicting medical opinion about the cause of death undermined a potential case of manslaughter.

But crucially, the Director of Public Prosecutions

Keir Starmer QC said there was evidence that PC Harwood, 43, assaulted newspaper seller Mr Tomlinson – paving the way for internal misconduct proceedings.

Mr Tomlinson, 47, collapsed in the street and died several minutes after being pushed from behind by the married father-of-two and falling heavily.

Yard sources said the misconduct hearing – to be chaired by a Metropolitan Police commander – is likely to be heard within ten weeks.

Even PC Harwood's most ardent supporters believe he will be found guilty of using excessive force and fired.

Senior officers and watchdog officials are considering whether to exercise rarely-used powers to hold the disciplinary hearing in public.

Mr Tomlinson's family welcomed moves to sack PC Harwood and their solicitor said there is an 'overwhelming argument' for the hearings to be held in public.

Mr Tomlinson's stepson Paul King said prosecutors could reconsider charges at the end of the inquest and the misconduct hearing must not prejudice its outcome.

He said: 'If the officer faces disciplinary charges now, does that mean he could get away with not facing charges for the death of our dad if there is an unlawful killing verdict at the inquest?

'I can see how it would look nice for the police if the officer turned up to the inquest in his civilian clothes.'

Mr Starmer sparked fury when he announced PC Harwood would not be prosecuted.

He said there was 'no realistic prospect' of a conviction after a 15-month inquiry because of 'irreconcilable' differences between medical experts. Mr Tomlinson's family accused the authorities of a cover-up and instructed their legal team to review the decision ahead of an inquest into his death.

Members of the Home Affairs Committee have asked Attorney General Dominic Grieve to review the decision.

Green Party MP Caroline Lucas proposed an early day motion in Parliament expressing her disquiet with how the death and inquiry was handled.

She called on City of London coroner Professor Paul Matthews to step aside because of his decision to appoint controversial pathologist Freddy Patel to conduct the post-mortem examination on Mr Tomlinson, an alcoholic whose health was extremely poor.

Dr Patel has been suspended from the Home Office register and faces a General Medical Council investigation over claims he botched four other post-mortems.

Following last week's decision not to

bring criminal charges, it emerged that Pc Harwood was previously investigated twice over alleged aggressive behaviour.

He left the Met a decade ago amid controversy over an alleged off-duty road rage incident, then got a job with Surrey Police, where he was accused of using excessive force.

Critics have questioned why he was allowed to rejoin the Met despite having an unresolved disciplinary matter on his record.

Sir Paul added that he fully understands the 'sense of anger' expressed by the Tomlinson family and the public over the fact no prosecution has been brought. Senior officers and watchdog officials are considering whether to exercise rarely used powers to hold the disciplinary hearing in public.

See 'Bungling Pathologist' page



Ian Huntley Claims £100K for Attack



"Compensation culture" within our jails has been blamed after it emerged Soham murderer Ian Huntley is suing the Prison Service after a serious attack by another inmate.

The killer of schoolgirls Holly Wells and Jessica Chapman had his throat slashed in March and now claims the Prison Service failed in their duty of care towards him.

It was reported he could win almost £100,000 in damages, though the Ministry

of Justice said the claim would be "vigorously defended".

The former school caretaker, who murdered the 10-year-old friends in Cambridgeshire in 2002 and is serving a life sentence, was left scarred by the attack at Frankland Prison, County Durham.

He is alleged to have been cut with a razor blade by Damien Fowkes and needed hospital treatment.

The week before Huntley was stabbed, three prison officers at the jail were stabbed

and seriously injured by an inmate with a piece of glass.

Colin Moses, chairman of the POA said: "A compensation culture by inmates is overtaking the Prison Service."

Mark Leech, Editor of ConVerse said: "Colin Moses would say that wouldn't he - its the failure of his members to keep Ian Huntley safe which leads to such claims.

"From a moral point of view of course its not right that Huntley should get anything, but we don't have courts of morals we have

courts of law and it's a basic rule of English law that if an organisation has a duty to keep someone safe, free from attack, and they fail in that duty then the victim is able to claim compensation for their injuries.

"Ian Huntley has been repeatedly attacked, the Prison Service has repeatedly failed to discharge their duty to keep him safe, in that regard he is no different to an employee being injured through the repeated negligence of their employer and he's entitled to claim for his injuries."

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A 25-year-old prisoner has been arrested after the death of a fellow inmate, Thames Valley Police have confirmed.

Robert Coello, 44, who was serving a sentence for sexually assaulting a minor, was found with head injuries in his cell in G wing of HMP Grendon in Buckinghamshire at around 3.30pm on Sunday 1st August 2010.

He was taken to Stoke Mandeville Hospital, but pronounced dead at 11.05pm, Thames Valley Police said.

Grendon prison is unique in the prison system for being the only jail to operate as a full therapeutic community, its record for violence has consistently been the lowest in the prison system and it has often been held out as the jewel in the Prison Service crown.

The murder comes at a time when the essence of the Grendon model is fighting for its survival as its Area Manager told cash hungry jail recently there would be no more money.

the Swain & Co page

Prison Doctor Jailed

Inappropriate dosage of medication. **£1.4 million** compensation

Failure to diagnose and treat meningitis. **Multi-million pound** settlement reached.

Failure to diagnose testicular cancer. **£150,000** compensation received.

Delay investigating an infection. **£7,500** Compensation

Achilles tendon damage not treated. Compensation paid

Mismanaged birth resulting in brain injury. **£2.5 million** compensation

Failure to recognise bypass complications. **£10,000** Compensation

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Dental negligence. **£28,000** Compensation



Swain & Co Campaigning at the British Medical Association National Conference

A doctor, Mohammed Khan, has been jailed for 4 months for altering the medical records of inmates. He did so in an attempt to deceive the Police who were investigating a prisoner's death.

Melanie Lidstone-Land of Swain & Co's specialist medical negligence team said, "The Police were investigating the death of Gary Bell, an inmate at Doncaster Prison.

"He had died after complications with a perforated ulcer. The doctor, a GP and medical officer at the prison, feared he would be criticised for poor note taking".

The doctor admitted intending to pervert the course of justice. He had tried to give the appearance that he had carried out a full examination.

Treatment by the GP was not implicated in the inmate's death.

Solicitors have long argued for doctors to have a duty to admit mistakes. Graeme Swain of Swain & Co said, "Other professionals have to admit their mistakes. Doctors should be no different.

We have lobbied for change, including at last year's conference of the British Medical Association (photo above). We support the campaign for 'Robbie's Law'; making it a legal requirement to admit medical mistakes. The law is named after a young man Robbie,

whose father has fought an exhausting battle to establish exactly why he died. The culture in medicine needs to change from secrecy to openness.

We have a long way to go to achieve this according to Melanie Lidstone-Land. In the meantime we often have to fight to find out what happened let alone achieve justice.

Graeme Swain of Swain and Co said, "The heading "Six of the Best" really sums things up as far as Swain and Co is concerned. We offer representation and we think that with care and commitment we can continue to provide a quality service to prisoners. There will be a greater emphasis on issues impacting significantly on prisoners.

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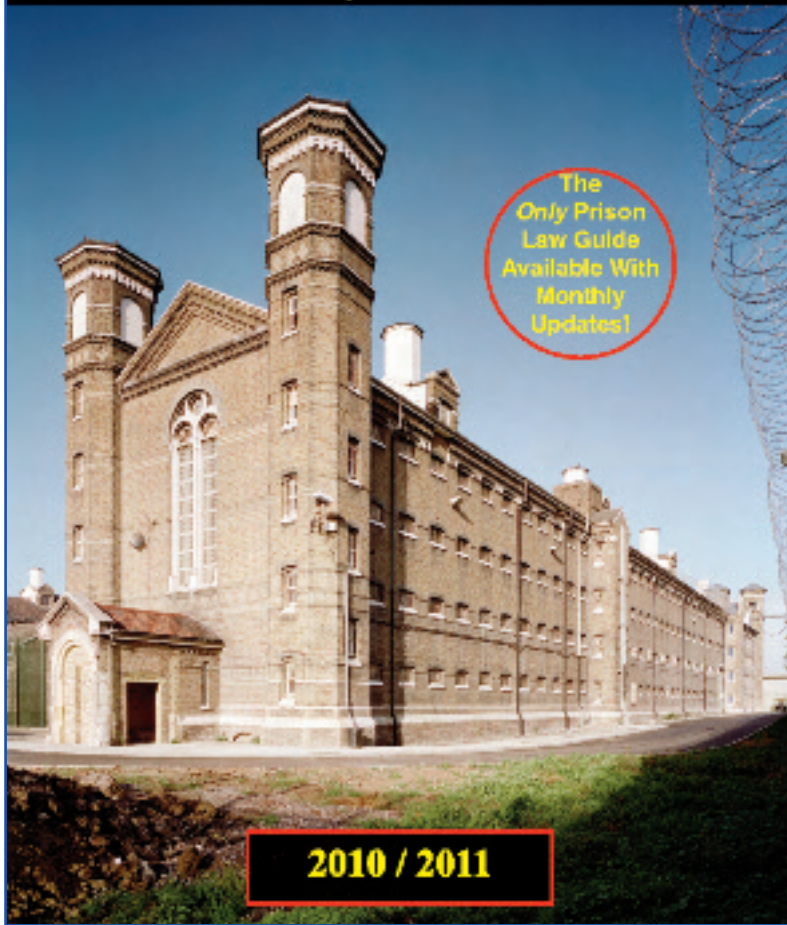


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Magistrate Reprimanded

A magistrate was disciplined after rebuking a foreign defendant for "coming to our shores and abusing our hospitality".

The unnamed official's remark "fell short of the qualities of social awareness and sound judgment expected of the judiciary", the Office for Judicial Complaints (OJC) said.

But the magistrate was allowed to continue in his role after being reprimanded, completing further training and being removed from a mentoring list.

His long service, apology and contrition were taken into account.

In its annual report, the OJC said it investigated the complaint after the magistrate told a "non-British" defendant: "We take exception to people coming to our shores and abusing our hospitality."

The comment could have been construed as "displaying prejudice", the OJC found.

In a separate incident, another magistrate was reprimanded and told to take further training after failing to return to court to issue an adjudication following a "disagreement" with bench colleagues in the retiring room.

An OJC spokesman said it would not release the two magistrates' names or details of the cases and courts involved.

But Sheridan Greenland, head of the OJC, stressed the organisation had worked to "improve openness".

"In the last year, to improve openness, we have made public statements in each case where someone has been removed from the judiciary.

"The introduction of an online complaints form is improving accessibility to the system and we have increased the number of complaints resolved within 90 days," he said.

The complaints were among more than 1,500 made against "judicial office holders" in 2009/10 - a rise of 18% on the previous year, the OJC said.

More than half (59%) related to judicial decisions and were unable to be considered under the regulations.

A further 27% related to alleged inappropriate behaviour or comments and 5% to claims of discrimination.

The OJC said 25 magistrates, two judges and a tribunal member were removed from office in 2009/10 following investigations.

Reasons for the action included 12 failures to "fulfil judicial duties", five cases of civil proceedings or criminal convictions, six of inappropriate behaviour, three of professional misconduct, one each for a conflict of interest and motoring offences.

A further 11 judiciary members were reprimanded and 11 more given formal advice or a warning.

There were 18 resignations during conduct investigations, the OJC said.



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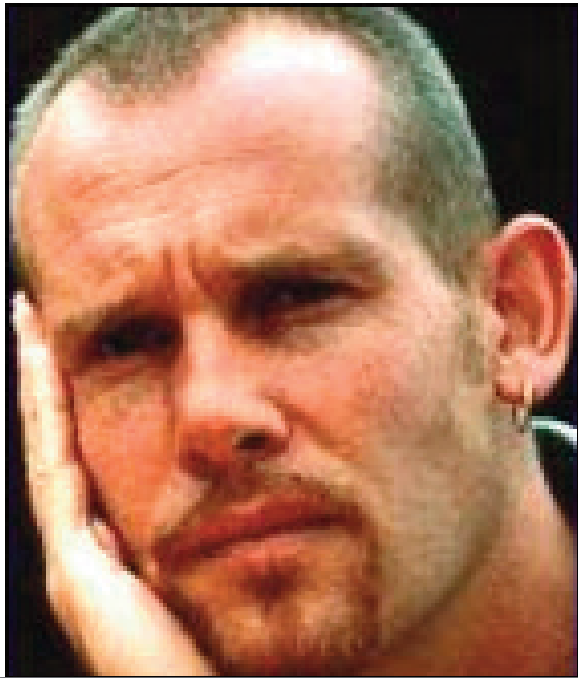
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Maze Murder Report

Report on murder of inmate Billy Wright to be published September 14



The findings of a public inquiry into the prison murder of loyalist Billy Wright in Northern Ireland is to be published on September 14, the Government has confirmed..

The former leader of the paramilitary Loyalist

Volunteer Force (LVF) was shot dead by republicans who smuggled weapons into the top security Maze prison in 1997.

Lord Randal MacLean led a £30 million investigation into alleged security lapses and allegations of an official plot to have Wright killed because of the danger he posed to the peace process. Northern Ireland Secretary Owen Paterson said a scrutiny of the report by Government lawyers had ensured its release did not pose a threat to the lives of individuals, and he confirmed the document was cleared for publication.

In a ministerial statement released at Westminster today, Mr Paterson said: "The report has not been shown to me or to any other member of the Government, or to any officials except the five members of the team which carried out the checking process.

"I have not been briefed on the contents of the report, nor have any officials other than those in the checking team.

"As with the publication of the Bloody Sunday Inquiry report, I intend to consider giving advance sight to those who were designated as represented

parties by the inquiry, to their legal representatives, and to some Members of this House.

"I intend to discuss this with the Speaker of this House in due course."

He said the printing of the report could now go ahead.

Wright, 37, was gunned down by inmates from the republican splinter group the Irish National Liberation Army (INLA) as he sat in a prison van in December 1997 before a visit.

The loyalist led a breakaway group which split from the larger Ulster Volunteer Force (UVF) over its support for the emerging peace process and the paramilitary ceasefires of the mid-1990s.

Wright was a high-profile figure who featured prominently at the Drumcree parades dispute in Portadown, Co Armagh, which was sparked by Orange Order demands to march through the Catholic Garvaghy Road area and residents' objections to the parade.

His group was at the centre of violence, including a string of murders, linked to the episode.

His killing by the INLA sparked brutal reprisals by the LVF and other loyalists sympathetic to his views. And his murder in what was then Northern Ireland's high security prison sparked allegations that the killers were assisted.

The Wright inquiry was one of three established to probe allegations of security force collusion in the

controversial deaths.

The others included murdered solicitor Rosemary Nelson and Catholic man Robert Hamill who was kicked to death in Portadown while police were nearby.

Inquiry hearings into the Wright shooting ran from January 2008 to July 2009, during which a number of witnesses were granted anonymity.

But the conclusions of the Wright report could not be published until checks to ensure its release met obligations in relation to Article 2 of the European Convention on Human Rights and national security. The Bloody Sunday report into the death of 14 civil rights protesters shot dead by soldiers was published last month after the Government took time to consider similar national security implications.

The questions considered by the Wright panel included:

:: The decision to house Wright and other LVF members in the same prison block as the INLA;

:: The security lapses which allowed the INLA to smuggle in two guns;

:: The standing down of a prison officer from the watchtower overlooking H Block 6 on the morning of the killing;

:: Why a vital CCTV camera was not working;

:: The lapses which allowed a wire fence to be cut by the INLA members.

Cleared Cops May Be Disciplined



"Two senior police officers could still face disciplinary charges after being cleared by a court of attempting to evade speeding convictions, their force has said.

Chief

Superintendent Adrian Harper (above) and Superintendent Jonathan Johncox, both of Surrey Police, stood trial separately at Winchester Crown Court, both charged with a single count of misconduct in public office.

The pair were accused of concocting fake excuses in order to qualify for an exemption from a speeding fine and points.

But Mr Johncox was cleared by a jury and Judge Keith Cutler today ordered a jury to find Mr Harper not guilty of the charge he faced.

Judge Cutler made the ruling after hearing the prosecution evidence, saying that Mr Harper had no case to answer.

A Surrey Police spokesman said the case came to court after the force began an internal review in March 2009 into historic exemptions from prosecution for speeding offences committed by officers on duty.

As part of this review, the force examined all camera activations during a three-year period, and when issues were found, they were referred to the Independent Police Complaints Commission (IPCC). Following discussions with the Crown Prosecution Service (CPS) and the IPCC, the CPS decided that Mr Harper and Mr Johncox should face prosecution.

Assistant Chief Constable Jerry Kirkby said: "It is the role of the police to uphold the law and investigate cases where it is believed a crime may have been committed.

"In this case, as a result of an internal review, we found potential wrong-doing by the officers and then referred the matter to the IPCC.

"Under IPCC direction we carried out an investigation, which was then referred to the CPS, who decided there was sufficient evidence to prosecute.

"Surrey Police will now consult with the IPCC regarding internal disciplinary proceedings.

"Chief Supt Harper and Supt Johncox will remain suspended from duty while this consultation takes place."

The trial heard that Mr Harper, 45, of Downs Road, Epsom, Surrey, was caught by a speed camera travelling at 53mph in a 40mph on the A217 at Lower Kingswood, between Reigate and Epsom in Surrey, on September 15, 2008.

The prosecution claimed that Mr Harper had

"doctored" his computerised work diary after the notice of prosecution arrived in order to persuade his line manager, Assistant Chief Constable Ian Dyson, to sign off the exemption form.

The trial of Mr Johncox, 47, of Thorncroft Drive, Leatherhead, Surrey, heard he was caught by a speed camera travelling at 66mph in a 50mph zone on the A246 Epsom Road, West Clandon, on June 9, 2008.

The jury was told by the prosecution that he was driving to his girlfriend's house when he was caught by the camera.

But the reason given on the speeding exemption form was: "Officer delayed due to partnership meeting, time imperative to return to Surrey HQ for obtaining further police information."

The court heard that Mr Harper signed off this exemption for Mr Johncox.

And the jury was told that Mr Johncox had told police that he had simply made an application in order to find out whether he was eligible for an exemption.

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Jeremy Moore represented Barry George in his successful appeal proceedings and subsequent re-trial where he was acquitted

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Home Office Deportation Policy Ruled Unlawful



A Home Office policy which allows the speedy deportation of foreign nationals refused permission to remain in the UK has been declared unlawful and quashed by the High Court.

A judge ruled that the policy meant people were being given "little or no notice" of removal and deprived of access to justice.

The decision was a victory for Medical Justice, which provides independent medical and legal advice to

detainees in immigration removal centres.

Mr Justice Silber, sitting at the High Court in London, gave the Home Office permission to appeal against his decision, saying the case raised issues of general public importance, including the constitutional right of access to justice.

There is a general Home Office practice of giving those facing deportation 72 hours notice of removal directions.

The legal challenge was triggered by an "exceptions policy", introduced by the Government in March 2007 and widened in January this year.

The policy creates categories in which an individual can be given little or no notice.

The categories include vulnerable people who are at risk of suicide or self-harm, and also children who arrived in the UK unaccompanied and may abscond because they cannot be detained.

Dinah Rose QC, appearing for Medical Justice, said UK Border Agency officers had used the policy to swoop late at night and escort people to flights leaving only a few hours later.

Distressed individuals were deprived of the chance to speak to a lawyer and, if so advised, launch last-ditch challenges against removal.

Home Office lawyers argued at a hearing at London's High Court last month that the exceptions policy was "sufficiently flexible" to ensure there were no human rights breaches.

They said detainees were given as much notice as possible and safeguards had been put in place.

But in court Mr Justice Silber rejected the Home Office case.

He said the new policy failed to ensure that those who received reduced periods of notice were able to obtain legal advice before they were removed.

The judge declared: "The policy is unlawful and must be quashed."

Medical Justice was represented in court by the Public Law Project (PLP), a charity which acts on behalf of poor and vulnerable members of the public who lack resources to go to court.

Diane Astin, who worked on today's case for PLP, said later: "This is a tremendous judgment."

"The UK Border Agency (UKBA) said it had in place safeguards which guaranteed access to justice."

"The judge looked at the evidence and said that, in practice, there was no access to justice because of time constraints."

Ms Astin said today's ruling was of great legal significance because the judge also spelt out clearly what constituted access to justice.

She said: "It is very easy to bandy around the term 'access to justice' but this judgment considers what is necessary to ensure that some of the most vulnerable people have 'access to justice' - and found that those subject to the UKBA exceptions policy did not."

A Home Office spokesman said: "We are disappointed with the court's judgment and we will be appealing."

"The policy of making limited exceptions in special circumstances to 72-hour notification of immigration removal has been an important element of our management of removals."

"The Government remains committed to removing individuals with no right to be in the UK as quickly as possible."

Donna Covey, chief executive of the Refugee Council, welcomed today's ruling.

She said: "Too many people who are refused asylum here and end up facing removal have been let down by the asylum process, and have serious grounds for appeal if given the chance."

"Many of these people have fled conflict and war, are extremely vulnerable, and deserve protection."

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Message from Stephen Field



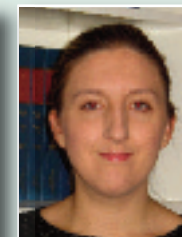
It's dark when I go to work and it's dark when I get home. No, winter hasn't come early, it's because the Admin Court now sits in Leeds and Manchester as well as in London. As I write this I'm on my way to Manchester to fight a judicial review case for a prisoner wrongly recalled but still sat in prison. Last week it was Leeds, fighting (and losing) an application to review the transfer of a prisoner from HMP Wakefield where he was stagnating. At either end of the week it was the Old Bailey preparing cases for trial later this year. Sandwiched between was a two day Court of Appeal hearing in the case where an IPP tariff was reduced from 6½ to 5 years. Not a huge cut, but hopefully it will have some impact on the inmate's progression and release. **The Prison Law Index** is launched at the end of August. With its regular monthly updates of all case law in prison judicial reviews and noteworthy Criminal Court of Appeal cases (not just the ones I am involved in) as well as all PSIs and other regulatory changes each month, this source book should assist everyone in keeping up with the rapid changes in the law. All the time you have issues, I will keep plugging away, trying to right wrongs. You know where to find me...working in London and the rest of the country, representing your rights and interests.



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We look forward to working with you. *Barristers who can accept instructions directly are: Stephen Field, Ajanta Kaza, Daniel Kingsley, Sam Parham, Rebecca Martin and Terry Pedro.

LATEST RESULTS

R (on the application of E) v Secretary of State for Justice - claim against the Secretary of State regarding the mistaken early release of a Prisoner by a governor and the decision that he was "unlawfully at large" whilst serving his sentence in the community on licence.

R (on the application of C) v Secretary of State for Justice - claim regarding the unlawful adjudication of a Prisoner without sufficient evidence.

R (on the application of AL) v Governor HMP Norwich - High Court - Emergency Judicial Review and release on the Order of the High Court Judge of AL, an IPP Prisoner who prison refused to release following a direction by the Parole Board because of a petty disciplinary offence immediately before scheduled release day.

R (on the application of RR) v Magistrates' Court - Court of Appeal - Successful application for leave to challenge the definition of theft.

R (on the application of N) and R (on the application

of P) v HMP Wakefield - Challenge to the Wakefield ID Card scheme.

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If the Prison Law Team are doing their jobs properly, they are simply not available to take telephone calls from prisoners during normal working hours (which inevitably involve early starts, late finishes and travelling time). Whilst Fran Springfield (our dedicated Prison Law Team Coordinator) and the clerks (Ian, Sian, Mycal and Johnny) do their best, we do not have a huge administrative support structure within the Prison Law Team, and the phone lines are open on **Tues between 1pm to 5 p.m** during which time a rota will be in place to take essential calls.

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Name of solicitor:

Address.....

Alternatively, I do not have a solicitor and would like you to suggest a solicitor should it be desirable to instruct a solicitor and barrister. I give my consent for you to speak with my past, current or future prospective solicitor about my case.

Signed

Date

Please complete this form and send it in an envelope clearly marked: **RULE 39: LEGAL CORRESPONDENCE** to Prison Law Team, 1 Pump Court Chambers, Temple, London EC4Y 7AB and we will reply forthwith. Only send us photocopied documents. NO ORIGINALS please.

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Sarah's Law Goes National



Child protection experts raised concerns today that the law may make it more difficult for police to monitor sex offenders in the community or may encourage vigilante attacks.

Diana Sutton, of the NSPCC, urged the Government to "tread cautiously", warning: "We remain concerned about the risk of vigilante action and sex offenders going underground. All new local schemes need close management and proper resourcing to avoid this."

And child protection expert Mike Hames told Sky News: "I have got reservations about it. There's always a possibility that if we tell people who aren't in the police force or one of the caring agencies about the fact that somebody is

a registered sex offender then the information might get out, and there is always a chance that that person's house will be burnt down or they will be forced to move."

But Acpo president Sir Hugh Orde told BBC1's Andrew Marr Show: "People say people will go underground - frankly, people go underground anyway."

"With all the other parts of the police service working

also in this area, I do think we have got a real hope of keeping people safer and keeping young people safer, which is very important." The law would be "a

welcome part of the armoury" used by police to protect children, he said.

"As the Home Secretary is keen to roll this out quickly, we are working very closely with Government to get it out there as quickly as we can around the country," he said.

More than 60 children were protected from abuse during trials of the Child Sex Offender Disclosure Scheme which started in 2008 in Cambridgeshire, Cleveland, Hampshire and Warwickshire, said the Home Office.

Almost 600 inquiries to the four forces led to 315 applications and 21 disclosures about registered child sex offenders.

A further 43 cases led to other safeguarding actions, including referrals to children's social care, and 11 general disclosures were made regarding protection issues linked to violent offending.

Today, the scheme was rolled out to eight other force areas - West Mercia, Bedfordshire, Norfolk, North Yorkshire, Thames Valley, West Midlands, Essex and Suffolk.

A further expansion is planned for the autumn, with Northamptonshire, Staffordshire, Sussex, Leicestershire, Wiltshire, Cheshire, Durham, Northumbria, Dorset, Lincolnshire, Surrey and Gloucestershire joining the scheme.

It will be rolled out to other forces across England and Wales by spring next year.

Home Secretary Theresa May hailed the extension as "an important step forward for child protection".

"Being able to make these checks reassures parents and the community and more importantly keeps children safer, she said.

"Not only will it help parents, carers or guardians ensure that their children are safe, but it also assists the police in managing known sex offenders living in the community more effectively.

"The start of the nationwide roll-out will mean even more children will be protected from potential harm."

Sarah Payne's mother, Sara, was crowned the government's Victims' Champion after her ceaseless attempts to bring in the law based on the so-called Megan's Law in the US, which allows the publication of names, addresses and pictures of paedophiles in some states.

She told the News of the World: "This is a really good step forward and I'm really pleased. It's always tinged with sadness, obviously, because it's to do with Sarah and it's 10 years and it marks the time she was taken from us.

"But to be honest, if the scheme saves one life then the last 10 years have been worth it."

Margaret Ann Cummings, whose eight-year-old son Mark was murdered by a convicted sex offender in Glasgow in 2004, said the new law didn't go far enough.

Stuart Leggate killed Mark Cummings at a block of high rise flats in Royston, Glasgow, before throwing his body down a rubbish chute.

Ms Cummings campaigned for the introduction of "Mark's Law" in Scotland which would allow parents to be told if there are registered sex offenders living in their area.

Commenting on Sarah's law she told the Daily Record: "There are sex offenders out there who don't mingle with families. They can move into a community and strike when nobody is looking.

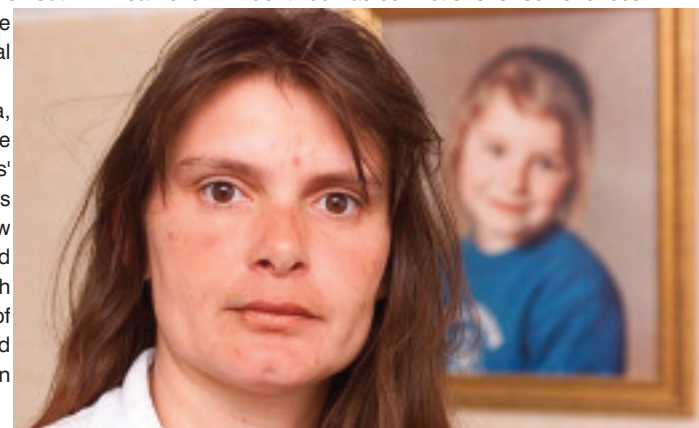
"Nobody in the community knew who Leggate was. He was put there without the community being aware he was a danger to children.

"We want anybody to be able to go into a police station if they suspect anything - or even for the police to come out to communities and explain that a sex offender is in the area."

However she said that Sarah's law was a step in the right direction.

In Scotland a pilot scheme giving concerned parents the right to know if a sex offender has access to their children is to be brought in across the country.

The scheme, piloted in Tayside, allows members of the public to call for background checks - with a presumption that police will tell parents if the person identified has convictions for sex offences.



'Ban Child C&R'

The Government faces calls to ban corporal punishment in private child prisons following the disclosure of a secret manual governing the use of physical restraint.

Green MP Caroline Lucas said some "quite shocking" techniques were authorised in the dossier for staff in secure training centres. She called on Justice Secretary Ken Clarke to introduce an explicit ban on corporal punishment and hold a public inquiry to see whether the practices complied with human rights laws.

Mr Clarke said the "very careful guidance" was kept under review but the "unarmed staff" needed to be able to control youngsters in the centres. Some of the Control and Restraint (C&R) measures employed in the secure training centres, detailed in the "instructor's manual", include ramming knuckles into ribs and raking shoes down the shins.

The contents of the manual were revealed after the Youth Justice Board (YJB) agreed to hand over the document earlier this month.

The document includes descriptions of "distraction" techniques, which deliberately inflict pain.

The Observer detailed some of the techniques, such as

placing an "inverted knuckle into the trainee's sternum and drive inward and upward".

Another practice reads: "Continue to carry alternate elbow strikes to the young person's ribs until a release is achieved." At Commons justice questions, Ms Lucas asked Mr Clarke: "Following revelations at the weekend that some quite shocking restraint methods are authorised in the physical control in care manual for use by staff in secure training centres for children, will you introduce an explicit ban on corporal punishment in youth offending institutions?"

Mr Clarke told her: "Of course we keep under review the guidance, the very careful guidance, given about the use of restraint techniques in these circumstances and one regrets that one has to issue such guidance.

"But you should bear in mind we are talking about children and young people, some of these people are much bigger than I am, probably with a problem of drug abuse, probably with a history of violent crime, and the completely unarmed staff have to be given some instructions in how to control them when they are getting out of control and it isn't always easy or possible to use totally restrained methods."

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JAMES SMITH-WILDS



James Smith-Wilds:
Principal

Called to the Bar in 1999, James has always specialised in criminal law. Working in a specialist criminal law firm from the beginning James has always found the system lacking when it came to prisoner rights. Having cross-qualified and then taking over his own firm in 2004, James had the opportunity to provide a proper service for his clients throughout their passage through the criminal justice system, including any period of incarceration. A passionate advocate for justice and the rights of the individual, James established a prison law department based on strict principles and not merely profit. He holds the Certificate of Competency in Prison Law with Distinction and is always keen to get the best possible result for his clients; James fights their corner whatever their circumstances.



Helen Harris:
Head of Prison Law

Since graduating from university in 2003, Helen has been passionate about helping prisoners. In the last 6 years, Helen has built up an encyclopaedic knowledge of the Prison system having only specialised in Prison Law. Seeing prisoners on a daily basis, Helen is a regular at Adjudications and has built up a professional working relationship with many external adjudicators, often having prisoners referred to her and her representations being accepted without challenge. Helen holds the Certificate of Competency in Prison Law with Distinction and meets the new Supervisor criteria, soon to be made compulsory by the Legal Services Commission. Always ready to meet a challenge Helen has an excellent success record at both Adjudications and Parole Hearings.



Sally Smith
Prison Law Specialist

Sally's passion for Law began 14 years ago when she discovered a flair for the work, she qualified as an Accredited Police Station Representative early in 1998 and she has an enviable reputation with her clients for enthusiasm and success in both police stations and prisons. Sally has extensive experience in Police Station, Crown Court and Prison Law cases country wide. Sally has the Certificate of Competency in Prison Law with Distinction and she now specialises in providing advice and representation across the whole Prison Law range. Sally prides herself on having direct contact with her clients, listening to their problems, giving sensible and realistic advice and explaining every step in a way that is easily understood.



Annette Surkitt
Prison Law Specialist

Annette has worked in law for the last 8 years. Having only been with Lawrences for the last six months, such is the level of her specialisation, Annette too will meet the new Supervisor criteria by its implementation in October. Annette is passionate about Prisoner Rights and is always very keen to see the prisoner's view of things. Annette is an excellent addition to the Prison Law team at Lawrences and is extremely popular with clients. Annette, as with all the team at Lawrences, frequently travels up and down the country to see her clients. Believing that the clients' case is the most important issue and getting the best for the client justifies the travelling, ensuring continuity of care and an excellent level of service are the hallmarks of her professionalism.



David Lissaman
Head of the Crown Court Department

David has been working in the Criminal Justice System for 25 years and has specialised in Crown Court work for the last 10 years. David has been with us since 2007 and commented on how much more proactive we are in fighting for our clients. Indeed David noted that in the first 6 months at Lawrences he had conducted more appeals than he had for any other firm before. Since taking over the Crown Court department David has had an almost 100 per cent success rate at appeal. An active family man and keen rugby player, David, like everyone here at Lawrences, is a straight talking lawyer with a robust approach to cases who believes in giving accurate and impartial legal advice.



Mike Pryor
Consultant Solicitor

Mike has over 40 years experience in Crime, he originally qualified as a Solicitor in 1982 and has defended clients ever since. Mike became a consultant at Lawrences after retiring as the Senior Criminal Partner in a Leicester based firm. Primarily a Magistrates trial advocate, Mike handles the more complex prison law cases.



Mark Nichols

Mark has been a solicitor for over 19 years, and he ran his own specialist criminal law practice before joining Lawrences Solicitors two years ago. Primarily a court advocate, Mark is in the process of attaining his Crown Court rights of audience. A keen athlete, Mark approaches his cases with the same gritty determination that he has shown running the London and Paris marathons.



Shirley French: Practice Manager

Having worked at Lawrences since its inception, Shirley now runs the administrative side of the firm and is responsible for all practice issues prior to them being passed to James. This would include general file control and complaints. We have an open and honest attitude towards complaints, and whilst we may not achieve exactly what our client had hoped for, we always endeavour to do our best.



Paula and Jo

For many of our clients the first contact that they have with Lawrences will be with either Paula or Jo. Both of them have been telephonists with law firms since they left school and they have 25 years experience of handling clients between them. Friendly and efficient, always feel free to leave your details knowing they will be passed on promptly so that we can start working on your case straight away.



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HELEN HARRIS

Prisons Minister Slapped Down on Jail Parties



Downing Street spokeswoman said this morning. "I understand the Ministry of Justice guidance to prison governors doesn't quite give carte blanche to such parties, but we just want to make it clear to the public there will be no such parties." In a speech to crime reduction charity Nacro yesterday, Mr Blunt said he was lifting a ban imposed two years ago by the former justice secretary Jack Straw.

Downing Street has overruled a move by Justice Minister Crispin Blunt to allow prisoners to hold party nights in jail.

In a humiliating slapdown for Mr Blunt, Number 10 contacted the Ministry of Justice after he announced he was lifting a ban on arts events like comedy workshops and fancy dress parties.

"Number 10 has instructed the Ministry of Justice to make it clear that there will be no prison parties," a

Mr Blunt criticised the way it had been imposed following press reports that a terrorist had enrolled in a stand-up comedy workshop at Whitemoor Prison and that lifers at Holloway had taken part in a fancy dress party.

"At the slightest whiff of criticism from the popular press, policy tended to get changed and the consequence of an absurd over-reaction to offenders being exposed to comedy in prison was

this deleterious, damaging and daft instruction," he said.

Amid heavy newspaper criticism of Mr Blunt's own policy, however, the Ministry of Justice was contacted by Downing Street officials following the speech.

Prime Minister David Cameron was said to be "aware of the situation".

The Downing Street spokeswoman said Mr Cameron retained confidence in the minister, but suggested his announcement had not been broached with Number 10 in advance.

"The important thing here is that policy is discussed in the round before announcing something," she said.

Asked whether comedy workshops would be allowed, the spokeswoman declined to "get into details", but said: "There are some things which are unacceptable.

"We must remember that prison is a place of punishment, but also there needs to be rehabilitation and prison governors need to use their best judgment on how that is done."

Downing Street also stated that there was no agreement in Government to scrap indeterminate prison sentences for the worst criminals, as Mr Blunt had also suggested.

"There is no collective agreement to change indeterminate prison place policy. So there is no change in policy agreed," the spokeswoman said. "He was floating proposals."

Mr Blunt's comments allowed Mr Straw, now shadow justice secretary, to turn the tables on the Tories and accuse them of letting down law-abiding people.

He said that when he introduced his "balanced and reasonable public acceptability test" on prisoner activity it had been welcomed by the Conservatives.

"They said the public expect dangerous offenders to be 'sent to prison for life, not to be sent to prison to have parties'. But now they're abolishing indeterminate sentences for the most serious criminals while restoring the right for prisoners to party," he said ahead of Downing Street's intervention this morning.

"Law-abiding people, and especially victims, will be incredulous. Why is David Cameron allowing this to happen?"

"The upside-down world of coalition politics may be entertaining for those on the inside, but it's having serious consequences for the public."

Following Downing Street's intervention, Mr Straw said: "This is chaotic stuff and very early in the Government's term."

"Since Mr Blunt rescinded the ban on prison parties last Tuesday I can only assume he did so with the express authority of the Secretary of State for Justice."

"It says very little for the internal processes of government, as well as the judgment of Ministry of Justice ministers, that there appears to have been no proper clearance of this decision with Downing Street."

"So much for the claims that there is a new formality within the British Government to ensure collective decision-making. If there is, it broke down altogether on this occasion."

Peter Johnson, Converse deputy editor said:

"What on earth does it matter?"

"Within every harsh regime there has to be room for relaxation, as prisoners earn privileges and move towards release why on earth shouldn't they be allowed the odd session of fun and relaxation - they're still in jail, they're not going anywhere, why must they always be manacled to walls and locked up in dungeons?"

Offenders Should Apologise

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Offenders could make personal apologies to victims under restorative justice proposals being considered by the Ministry of Justice (MoJ).

Justice Minister Crispin Blunt (above) said victims of crime are "frustrated" by the lack of involvement in the justice system.

A report released by two charities suggests that such a move would save the state £185 million over two years by reducing re-offending.

Mr Blunt told The Observer: "I'm a maximalist when it comes to restorative justice - I want to get it into our system at every stage."

"It makes common sense - if you have a system that is remote, so the victim

doesn't really engage, then (they become) frustrated by the lack of involvement."

He said he also supported a form of "community payback", where money earned by offenders in prison and during alternative forms of punishment is diverted to their victims.

"With community payback there is a value of the labour that is being done and that value should be cashed and should be going back to the victim," he said.

Last week, Mr Blunt was overruled by Downing Street after he announced plans to allow

prisoners to hold party nights in jail.

In a humiliating slapdown, Number 10 contacted the MoJ after Mr Blunt announced he was lifting a ban on arts events such as comedy workshops and fancy dress parties.

Victim Support and the Restorative Justice

Consortium (RJC) praised Mr Blunt's proposals for restorative justice and said victims would be empowered by the move.

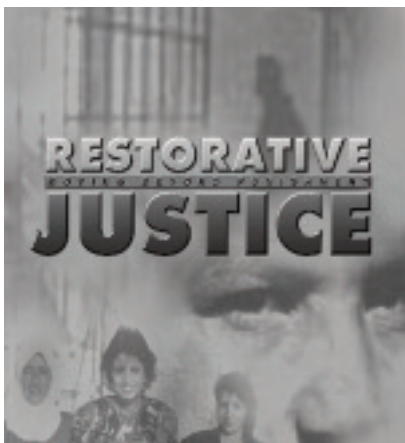
An RJC spokesman said: "Victims of crime benefit from restorative justice by being given the chance to tell offenders the real impact of their crime,

to get answers to their questions as well as being more likely to receive an apology."

The charities said restorative justice cut the rate of re-offending by 27%, saving £185 million over two years.

An MoJ spokesman said: "The Government is committed to intelligent sentencing which ensures appropriate punishment, rehabilitation and the protection of the public."

"We are considering the role restorative justice can play as part of our review of sentencing policy."



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Prison Drug Services are of "Little Relevance to Addicts"



Drug services are of "little relevance" to minority groups and are failing to meet the needs of addicts and users, a new report has warned.

The review found more could be done to flag up the health risks associated with new substances as they emerge on the market.

And it singled out drug abuse among disabled servicemen as a growing area for concern.

The UK Drug Policy Commission (UKDPC) report said services were ill-equipped to deal with certain sectors of society and identified a series of concerns.

It found "recreational" use among lesbian, gay, bisexual and transgender groups to be significantly higher than among their heterosexual counterparts - especially among gay men.

And it said these communities - at risk of misusing drugs including steroids and Viagra - could be neglected owing to a focus on heroin and crack cocaine.

The report found overall drug use was most prevalent among those from mixed ethnic backgrounds, mainly due to high levels of cannabis use. But it said specialist drug services for these communities "will not be sustainable in many areas". It also identified an increased risk of problems

among disabled people. The review said current drug services were often "ill-equipped" for those with learning disabilities and said prisoners were "particularly vulnerable".

"Consideration and further information about the needs of the apparently large number of people with learning disabilities within prisons is needed," it said. And addressing the issue among the Armed Forces, it warned disabled service personnel could represent an "emerging challenge" for social support bodies.

Chief executive of UKDPC Roger Howard insisted the issue of drug use was still being overlooked in several areas.

"It is striking that as other national challenges have taken centre stage, progress in addressing drug use and problems among various diverse communities has become neglected," he said.

Professor Baroness Haleh Afshar, who led the review, added: "When the new coalition Government is bringing forward public service reform plans and a new drug strategy, against the backdrop of new equalities legislation, there is a fresh opportunity to rethink the way we respond to drug use among a range of diverse communities, whose needs have become overshadowed by other issues.

"So many groups are not being adequately protected, making the debate on drugs and diversity more urgent than ever before."

The report, *The Impact of Drugs on Different Minority Groups: A review of the UK Literature*, draws on national statistics from the British Crime Survey and information from the National Treatment Agency. It proposed a series of measures to address the current issues. These included "appropriate data-gathering and intelligence sharing mechanisms" to flag up emerging drugs, asking GPs and religious leaders to engage with specific ethnic groups and using social media to reinforce messages.

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£60M Dope Gang Jailed

A gang which ran a £60 million drug business from a set of farm buildings have been jailed..

Described as one of the biggest operations of importation and distribution of skunk cannabis, police said the gang had a "devastating effect" on the lives of thousands of people.

David Barnes, 41, from Hungerford, Berkshire; Michael Woodage, 51, from Whitchurch, Hampshire; and Christopher Wills, 29, from Bracknell, Berkshire, were all found guilty at Bristol Crown Court on June 18 of conspiracy to supply class B drugs following a six-week trial. A fourth man, Stephen Docking, 45, from Kent, was acquitted.

Five others, Nigel Hyland, 50, from Laburnum Road, Swindon, Wiltshire; Franciscus Kattekamp, 38 from

Kaatsheuvel in Holland; Alexander Post, 34, from Belvedere, Kent; Emma Stevens, 39, from Bracknell; and Paul Atkins, 30, from Bexleyheath, Kent, had previously pleaded guilty to their involvement.

On Friday, all eight gang members were handed prison sentences at Bristol Crown Court ranging from three to 12 years. The trade was based at several "highly secure" farm buildings in Swindon, as well as at an industrial unit near Hungerford.

The scheme began to unravel on April 24 this year when Wiltshire Police stopped a van being driven on the M4 travelling towards London. It was found to contain 110lb (50kg) of skunk cannabis with an estimated street value of £225,000.

In the early hours of the next day officers stopped a

Transit van, being driven by Woodage, on an isolated farm in Wanborough, Swindon, and found it holding 498lb (226kg) of cannabis skunk with a street value of over £1 million.

As a result of the Operation Scarlet investigation nine people were arrested and charged in connection with the supply of class B drugs. Barnes received the longest sentence of 12 years imprisonment, Woodage was handed eight years and Wills seven-and-a-half years. Hyland was jailed for four-and-a-half years, Kattekamp three years and

Post, Stevens and Atkins all received sentences of three-and-a-half years. Chief Inspector Owen Gillard, who headed the investigation said: "Those sentenced were responsible for one of the largest drug distribution operations seen in the UK. Their actions not only directly ruined individuals' lives but had a much farther reaching effect on families and communities throughout the country.

"Their sentences should send a clear message to people that if you are criminally involved in a group similar to this one, we will catch up with you."

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Our Specialist Prison Law Team is headed by Fosia Jury and Darren Cousins, both of whom have been accredited by the Institute of Prison Law and other members are Clint Ambrose, Charana Sangeewa, Antonita Nagalingam and Nasreen Hussain who have all been through a thorough training and accreditation process.

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If any of the above affects you or your family - talk to us!

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Ranjit Kaur, Solicitor with Harrison Bunday, Catches up on the facts.

Adjudications are conducted in order to maintain 'good order and discipline' throughout the prison estate. The Prison Act 1952, s47 (1) (adults), the Prison Rules 1999 (as amended), and the Young Offenders Rules 2000, contain the power to discipline prisoners for misconduct whilst they are incarcerated. At present there are 29 offences with which you may be charged. These are detailed in Rule 51 of the Prison Rules 1999 and can be found in Prison Service Order 2000 (in your local library). PSO 2000 must be made available to you prior to any adjudication hearing, at your request.

The role of the adjudicator is to conduct an impartial and fair hearing. This involves enquiring into your defence.

Human Rights: Article 6 of the ECHR

1. A fair and public hearing within a reasonable time
2. Presumption of innocence until proved guilty according to law.
3. Everyone charged with a criminal offence has the following minimum rights:
 - a) Informed promptly and in detail of the nature and cause of accusation against him;
 - b) Adequate time and facilities for the preparation of his defence;
 - c) Defend himself in person or through legal assistance of his own choosing;
 - d) Examine or have examined witnesses
 - e) Free assistance of an interpreter if he cannot understand or speak the language used in court.

PSO 2000 & the application of article 6

A disciplinary charge is brought by the prisoner being handed form F1127A ("put on report" or a "nicking sheet"), para 2.3. The Prison Rules & PSO Guidance states that the charge must be laid within 48 hours of discovery of the offences. Further, best practice is to give the inmate the charge sheet (F1127A) at least 24 hours before your first hearing (not at 8pm the night before or on the morning of your first hearing) and subsequently at least 2 hours before any adjourned hearing. Adjudicators (Governors / Directors) must adjudicate on every charge and save in exceptional circumstances must do so not later than the next day after the charge has been laid, unless that day is a Sunday or Public Holiday, para 1.7. All inmates are generally entitled to free legal representation at hearings before the outside adjudicator [subject to an assessment of their eligibility for legal aid].

Where a charge is referred by the Governor to an Independent Adjudicator ('IA') then s/he should normally begin enquiries into it [in effect open the charge] within 28 days of the referral (Prison Rule 53A(3)).

Right to Representation

In respect of Governor adjudications you are entitled to legal advice but not representation at the actual hearing. Where representation is required, it will be necessary for your legal representative to obtain permission in writing from the Governor / Director. This is usually only granted in exceptional circumstances following consideration of the Tarrant principles (further details are available from your establishment). If representation is not granted, legal advisers may be advised to prepare written representations to the Governor / Director on the your behalf, following your full instructions. The reason for the lack of representation at governor adjudications is that punishment will not include the imposition of additional days; therefore, Article 6 is not engaged.

If you are serving an indeterminate sentence you will generally not appear before the IA, in view of the fact that you cannot receive additional days (although see the case of R (Smith) v HMP Belmarsh & Anor [2009] EWHC 109, where the Court held that the exceptional facts of the case, namely a serious assault on a prison officer, were such that the matter should have been referred to the IA). The exception is when an indeterminate sentence prisoner is jointly charged with a prisoner who can receive additional days, such that the indeterminate sentence prisoner's adjudication will also be referred to the IA. In some cases recalled prisoners too cannot receive additional days and so will not appear before the IA.

Advice to all

Seek legal advice in all cases, whether you wish to plead guilty or otherwise.

If you wish to obtain advice or to be represented, inform the IA/Governor at your first hearing.

On the day of your IA, ask officers to check with the visits / booking in clerk whether or not your representative is in attendance.

If your legal representative has not arrived, you are able to request a short adjournment to make enquiries or a longer adjournment i.e. to the next hearing date. The same principle applies to witnesses.

Do not feel pressured and / or bullied into carrying on without your representative.

If refused an adjournment and found guilty, you may be able to pursue a successful appeal.

Keep a copy of all internal applications you submit.

Review of punishment

In all cases you have the right to challenge the finding and punishment:

Governor adjudications: the request for a review must be lodged within six weeks of the completion of the hearing. This can be done by using the ADJ1 form.

Independent adjudications, if you require this punishment to be reviewed, you will need to do this within 14 days of the completion of the hearing using the ADJ1 form.

Note that you cannot appeal against conviction before independent adjudications, except by judicial review.

A judicial review application must be lodged within three months of the last hearing, subject to a positive advice from Counsel/legal representative and the necessary funding being granted by the Legal Services Commission (if no means to pay).

Final points

Procedures must be conducted fairly in accordance with the rules of natural justice. The charge against you must be proved 'beyond reasonable doubt'

(para 4.46). Remember: the burden of proof rests with the prison (para 7.1).

However, if you have a defence you must take all steps to obtain the evidence i.e. obtain witness statements / inform the Governor, who will then make enquiries.

If you feel an adjudication may have been unlawful and resulted in the imposition of added days or an administrative punishment which is subsisting, an appeal should be lodged and or counsel's opinion should be sought by your solicitors.

Examples of quashed convictions and punishments:

I have in my years of practice brought about a number of successful (unreported) challenges in this area, through judicial review. These may assist you when considering an action in your case:

Rule 51, para 12: unauthorised article said to be heroin. The prison recorded "brown powder having been tested using the BDH test, found to be heroin". The test results were not produced. This method of testing is not conclusive, para 6.5. Nonetheless, the IA found this charge proved. A Judicial Review application was lodged immediately. The IA conceded that the finding was unlawful and the High Court quashed this finding and the associated punishments.

2. Rule 51, para 9: a positive drug test. The results had returned falling on the cut off mark. It was my client's intention to plead not guilty and to call witnesses. Technical submissions were made at the start of the hearing. The IA found the matter proved without hearing evidence from my client. This was challenged as a breach of Article 6. The IA once again conceded that the trial had been unlawful and the High Court went onto quash the conviction.

3. Undisclosed mobile phone analysis, without any evidence of expertise of the person who carried this out, led to a further successful challenge.

Prison Rules 1999 and YOI Rules 2000 allow all prisoners awarded additional days of imprisonment to apply to have them remitted, providing they have not been awarded further additional days for a period of six months (for adults) and four months (young offenders). The number of days usually remitted are no more than 50%; in any case this is

a matter left to the governor's discretion.

If you require assistance with your adjudication matters (and or other prison law matters) please do not hesitate to contact our team!

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CONSCRIPT

Letters to the Editor.....

WHY THIS ONE PRISON LAWYER HAS HAD JUST ABOUT ENOUGH!

It's Monday morning, the sky is dark, a little old lady creeps past my office window fighting her way against wind and rain, a bus drives past and splashes her, people walk past uncaring, wrapped up in their own little world - a terrible day you may think - but not a bit of it!

For me the day is bright and sunny, only five more days and I can turn a corner I should have turned years ago.

This is my last week as a prison lawyer, after eight years fighting hard for prisoners I have just about had enough.

I have had enough of the legal aid cuts, enough of prison staff, enough of the prison rules and let me tell you quite honestly more than enough of ungrateful, whining, moaning, arguing, griping, fighting inmates who care not a jot for anything or anyone but themselves.

I open a letter on my desk, its from a man in Full Sutton who I have been representing for five years: "I'm writing once again to complain that you haven't blah blah blah done this, written that letter, been to see me, sent me this, brought me that, carried me here...." WTF!

Enough!

I put the letter on my desk, whoever takes over my files next week can read and reply to his diatribe, I'm not even going to bother replying - there is something very empowering, almost cathartic about closing the file and slipping it silently across the desk.

Five more days, and I'm free.

I don't know how many other prison lawyers feel this way, but prisoners should understand that there are not many people willing to fight their corner, not many who want to help and continue helping and I have no doubt that there will be more like me who reach the point where they say enough.

Next time you write to your lawyer, pause for a moment, you are about to address perhaps the only one person who is willing to listen to what you have to say - not just because they get paid for it - they can get paid for many things - but because they want to. Remember me when you write your next letter, and think that what you write could be the reason you don't get the reply as quickly as you like or indeed get a reply at all - for the next five days I'm going to do as little as I can as often as I can and leave on Friday secure in the knowledge that better times lay ahead.

Prison Lawyer? - No Way!
London.

RECALL: WHY DOES IT JUST GO ON AND ON AND ON..?

I was recalled to prison in June 2009 by Probation for 'risk of physical assault'. I was living in a hostel at the time and was having problems with my neighbour who threatened to stab me in front of my key worker. The police arrested my neighbour, the knife was taken from him and several hours later I was recalled. I appealed against the recall and waited seven months for an oral hearing - April 2010. Afterwards I was told I would have their decision in 14 days, I then received a letter from the Parole Board saying that had adjourned the decision for five weeks. After ten more weeks I got a letter saying that another oral hearing had been scheduled for August 16th 2010 - I was given no reason, no excuse for the second hearing, my first hearing lasted four hours and they explored everything, probation supported my re-release and my prison record was glowing. Now I have spent over a year in custody, seven months waiting for a hearing, two and a half months waiting for a decision only to be told that a new hearing has been arranged all without any explanation. I have broken no licence conditions, I was the victim not the culprit.

I would be interested to know if anyone else is going through the same ordeal as me and what can be done about it?

KAM

HMP Pentonville
Mark Leech replies: You are not alone - there are thousands in the same unfair position you are now in - and in truth there is nothing you can do about it. The law is that you can be held until the end of your sentence and only the Parole Board

can set you free. You may not like hearing that, its unfair certainly, it's unjust without a doubt, but that is the law.

The Parole Board is the only body that can release you - not even the courts have the power to do that - you'll have to go along with it I'm afraid.

BEAKS WHO CAN'T SEE FURTHER THAN THE END OF THEIR NOSE!

On reading the letter from the Magistrate in the July edition of Converse, it made me absolutely livid. This is the first time I have written to a newspaper and I always read Converse because its more up to date. When I was first in prison in the mid 1990's I was in HMP Brinsford, I got bullied relentlessly and I self-harmed every day, and this was in the time where prison officers would give you a good slap if you did not toe the line. I have been in and out of prison for the best part of 15 years. The best thing the prison have done is to introduce the hiring out of in cell TV. It has stopped me self-harming and cutting up. The word that stands out is 'hiring'. I pay £1 every week, so in my sentence of five years (2.5 years inside) I have given the Prison Service £130. The Magistrate who wants to stop in cell TV is an idiot.

I suffer from bipolar disorder and the TV is a godsend when I am depressed - if the magistrate had his way I would be back to self-harming every day. we are human beings, yes we have done wrong and we have been sentenced for it.

I totally agree with Ken Clarke's approach about scrapping short sentences - he now needs to look at licence recalls and foreign nationals.

PJ

HMP Garth

Mark Leech replies: I couldn't agree with you more. Scrapping sort sentences is the only sensible way forward - look, its quite simple really, we cannot lock up everyone who commits a crime even though the public would like to. The simple fact of life is that we just do not have the room - and I think to anyone

who can talk, and walk upright, that is an accepted fact. So, if we can't lock up everyone, then the question has to be just who do we send to prison?

The answer has to be those who represent the gravest danger to society, those that cause the most harm - the last Labour government sought to do this with the ridiculous Indeterminate Sentence for Public Protection - they thought that this would identify those who posed the gravest danger; almost SIX THOUSAND extra prisoners later they realised the folly of their approach - they cast a very wide net and caught an enormous amount of very small criminal fish.

Short sentences are a stupid way of dealing with low level crime - you can't do anything to rehabilitate prisoners who are only serving 12 months - people on sentences of five years can't get on courses, what chance does someone on a year stand?

Ken Clarke has been courageous, much of it is done because I suspect he can place all the political blame for it on the Labour Party, but nevertheless it gives the government a chance to relook at who we send to prison and why.

You point about licence recalls and foreign nationals is also an important one. Licence recalls clog up the prison system and bring the whole parole process to a shuddering halt. Until 2005 Probation Officers had a discretion to exercise when it came to revoking licences and recalling people to prison, they were able to decide whether someone late for an appointment was genuinely late because the bus was late or whether they were pulling the pull over their eyes - in 2005 the National Probation Standards changed all that, and removed the discretion that Probation Officers had - and the evidence is in the numbers. In 2004 a total of 2,100 people were recalled to prison for breach of their licences, last year that figure had rocketed to over 12,000.

Foreign nationals should just be deported, straight from court. Hopefully one day one government will get one thing right and save everyone a fortune.

When he said I'd be in hot water for crossing him - I didn't think he meant this



This wasn't his sentence and it's not yours! You're in prison to do your time - and that's all.

If you've been the victim of violence in prison you don't have to just accept it. The powers-that-be probably won't help you...see if we can.

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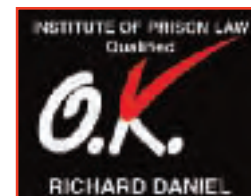
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Prison Service Orders & Instructions

Relevant to Prisoners.....

and getting access to them!

Prison Service Orders (PSOs) are long term mandatory instructions that are intended to last for an indefinite period. Prior to August 2009 they were the main way in which policy was set out and notified.

Prison Service Instructions (PSIs) were intended to be short term mandatory instructions which were intended to update and amend PSOs until the document itself could be reissued.

In August 2009 that changed.

Now all notifications of policy are issued by way of PSIs - which expire after four years although they can then be renewed.

The following is a list of Prison Service Orders currently in force copies of which are available to you through your Library.

We have also listed the most recent PSI's - again you must be able to access these through your library - if you cannot then you can request access via the requests complaints system

Many inmates write to us complaining that they cannot get access to Prison Service Instructions or Prison Service Orders.

All inmates have the right of access to such documents and this is made clear in PSO 6710; in fact not only do you have the right of access, you specifically have the right of 'easy access'.

Some prisons will only allow access while you are visiting the library and will not allow you to loan either PSOs, PSIs or reference books - if this is the case you should seek legal help because such restrictions on your access are contrary to the policy of 'easy access' and the courts may rule such restrictions unlawful.

Pursuant to PSO 6710 all prison

establishment libraries **MUST** have on **PROMINENT DISPLAY** a list of **ALL** reference books that are available to you, and you must be allowed easy access to them.

If you are being denied access to the reference books, or there is not a list of reference books on prominent display of the books available then you should raise it via request/complaints - if you request a copy of PSO 6710, this will detail all the reference books that must be made available to you.

PRISON SERVICE ORDERS

0000 - numerical index
0000 - subject index
0001 - prison service Instructns
0100 - the prison rules
0101 - yoi rules
0150 - civil justice sys
0200 - standards manual
0500 - reception
0550 - prisoner induction
0900 - categorisation allocation
1010 - cat a prisoners
1030 - video links
1250 - prisoners property
1300 - investigations
1301 - deaths in custody
1600 - use of force
1700 - segregation
1702 - anti bullying
1810 - maintaining order
1900 - prisoner accommodation
2000 - adjudications
0205 - offender assessment
2300 - resettlement
2350 - housing needs asesmt
2400 - therapeutic communities
2510 - requests and complaints
2520 - prison ombudsman
2600 - prisoner legal issues
2605 - legal services officer
2700 - suicide & self harm
2710 - Deaths in custody

2750 - violence reduction
2800 - race equality
2855 - prisoners: disabilities
3050 - continuity of healthcare
3100 - quality in healthcare
3200 - health promotion
3550 - clinical services
3601 - mandatory drugs testing
3605 - mdt samples
3610 - visits: drug smuggling
3620 - voluntary drug testing
3630 - carats
4000 - (3) CCRC
4000 - IEPS
4201 - open university
4205 - education in prisons
4250 - physical education
4275 - time in the open air
4350 - effective interventions
4400 - inmate communications
4405 - assisted prison visits
4410 - prisoner visits
4411 - prisoner letters
4455 - prisoners: name change
4460 - prisoners pay
4465 - prisoners financial affairs
4470 - Media access
4480 - prisoner reps
4550 - religion manual
4600 - Remand, JR & civil's
4615 - prolific & priority offndrs
4620 - confiscation orders
4625 - productions at court
4630 - immigration foreign nats
4650 - prisoners voting rights
4695 - DNA sampling
4700 - lifer manual
4745 - MAPPA
4801 - mother baby units 3rd
4950 - care of young people
4960 - detention under s 92
5000 - prison catering
5010 - prison service catering
6000 - parole release & recall
6100 - the bail system
6101 - bail information schemes
6200 - transfer of prisoners

6300 - ROTL
6400 - discharge
6650 - sentence calculation
6700 - home detention curfew
6710 - prison libraries

RECENT PRISON SERVICE INSTRUCTIONS

2010-038 - activities in prisons
2010-037 - prisoners access to the media
2010-036 - new chapter 4 for PSO 4700
2010-035 - provision of eye tests
2010-034 - accommodation and support service for bail and HDC
2010-032 - prison discipline manual authority to conduct adjudications
2010-029 - indeterminate sentence manual amendments
2010-026 - travel and subsistence
2010-025 - permanent transfers
2010-024 - performance management policy
2010-023 - staff alcohol policy
2010-022 - tupe
2010-021 - exit management
2010-020 - keeping in touch policy
2010-019 - special leave policy
2010-018 - absence management policy
2010-017 - parental leave policy
2010-016 - confiscation orders
2010-015 - ending of ECL
2010-013 - prosecuting absconders
2010-012 - prolific and priority offenders
2010-011 - prisoners property change to prison and yoi rules
2010-010 - occupational health functional mailboxes
2010-009 - reporting wrongdoing
2010-008 - post incident care
2010-007 - packaging material usage legal requirements
2010-006 - conduct and discipline
2010-005 - flag flying 2010
2010-004 - overpayments of salary
2010-003 - cat a security review
2010-001 - licences for dvd tv in prisons

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GIVE THIS FORM TO YOUR PRISON LAWYER - DO NOT SEND IT TO CONVERSE

Raoul Moat Laid To Rest



Over a hundred family and friends have gathered to pay tribute to fugitive killer Raoul Moat at his funeral.

The private ceremony was held at the West Road Crematorium, less than a mile from his former home in Newcastle's Fenham Hall Drive.

The gunman's family had previously said he would not be buried for fears his grave would become a shrine to anti-police ghouls.

Moat, 37, sparked a huge manhunt last month after shooting his ex-lover Sam Stobart, 22, in Birtley, Gateshead, and killing her new boyfriend Chris Brown. The next day he blasted unarmed police officer David Rathband in the face, leaving him blind. Moat hid for a week before he was cornered in Rothbury, Northumberland, where he ended his life following a six-hour stand-off with police.

Around 150 mourners gathered outside the Crematorium's West Chapel ahead of the funeral. Behind Blues Eyes by The Who was played as they filed into the service. Moat's brother Angus, 39, embraced the pall-bearers who carried the coffin

from the hearse. His uncle Charlie Alexander, 72, wore his Royal Artillery regimental blazer and tie.

Others paying their respects included friends, neighbours and people he had never met. Friends Kenneth Ingham and Peter Hefferin, both 18 and from Lemington, in Newcastle, said they understood why Moat had snapped.

Jobless Mr Ingham said: "He was only in prison four months and his lass started cheating on him with another man, and said it was a copper. It was cracking him up. There is only so much some people can take. I would have done exactly the same thing if I was in jail and my lass was cheating on me."

Mother-of-eight Theresa Bystram, 45, travelled from Weybridge, Surrey, on an overnight bus to the crematorium with three of her teenage sons. Despite admitting she did not know Moat, she said: "I absolutely loved him. I just think he is a hero and I wanted to pay my respects. He kept them coppers on the run all that time. Fair enough people died but they must have deserved it."

Afterwards the ceremony Angus Moat and Mr Alexander made a brief statement to the media saying: "Raoul Moat, dear brother, nephew, father and friend. The Moat family and the Alexander family now ask that we be allowed to mourn Raoul's passing with privacy and with respect. We understand there is an element of public interest and from now on we view this as an investigation into the procedures surrounding the events of recent weeks.

"We have instructed a solicitor to act for us. We are now moved to co-operate as much as possible with the relevant authorities to allow the investigation to proceed. We will make no further comment regarding the ongoing inquest into the circumstances of Raoul's death."



Don't Jail Non-Paying Dads

Fathers who refuse to pay child maintenance should not be sent to prison, Justice Secretary Ken Clarke has said.

Highlighting the need for "radical" reform of the criminal justice system, Mr Clarke said some prisoners are currently "far away from being there for serious crime".

Last month he pledged to "shut the revolving door of crime and reoffending" by locking up fewer offenders and using more community sentences.

During Commons question time, Labour former minister Kevin Brennan, MP for Cardiff West, asked: "Would you give the House three examples of the kind of criminals currently in jail who won't be in prison under your plans?"

Mr Clarke replied: "The last person I met in jail who clearly should not have been there had been sent there because he was in dispute with his ex-wife over the maintenance - well of course he was under an obligation to pay for his children but it wasn't the best use of prison, providing a place for him.

"And anybody who visits prison will find people who are there through a rather surprising combination of purposes - some far away from serious crime." Clarke said prison is the "most effective punishment we have for serious criminal offenders".

He added: "But what we have not paid enough attention to in recent years is how we actually at the same time minimise the risk of reoffending, seek to reform those in prisons and divert them from future crime, and eventually make sure there are better and more effective ways of dealing with those that are capable of being dealt with."

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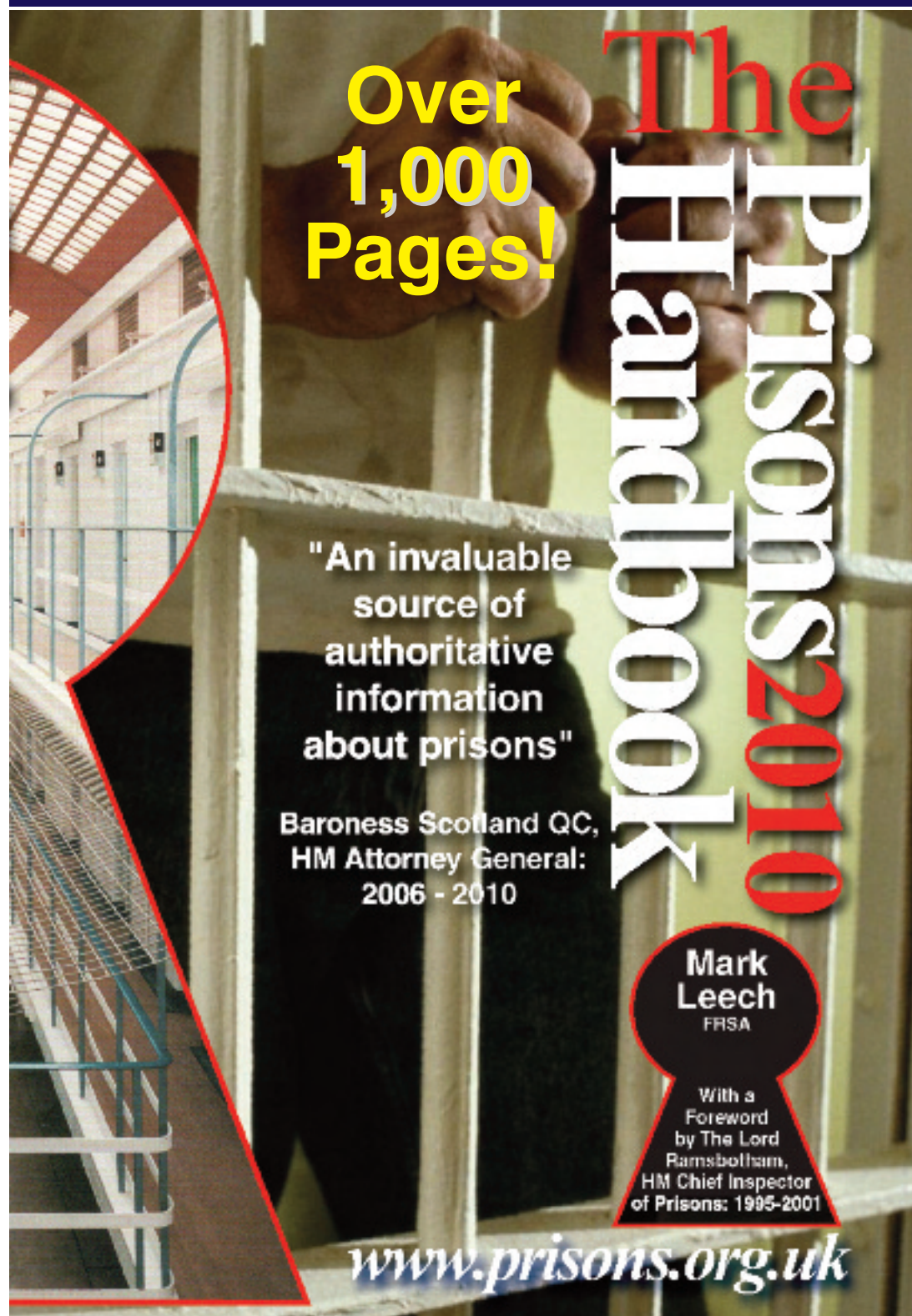
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The 2010 edition has over 1,000 pages of information on every prison and YOI in the country, 25 chapters cover every advice subject from reception right the way through to release and beyond - and this year the 160 page prison law section has been completely redesigned, from 'Access to Justice' all the way to 'Zoonotic Infections', locate the subject you want (MDT, categorisation, allocation, transfers, visits, letters, phone calls and many, many more) and you'll find all the rules, regulations, and case law on the subject all in one place! Browse the 2010 edition in your library or buy your own copy and save £30 on the normal price!

THE PRISONS HANDBOOK 2010

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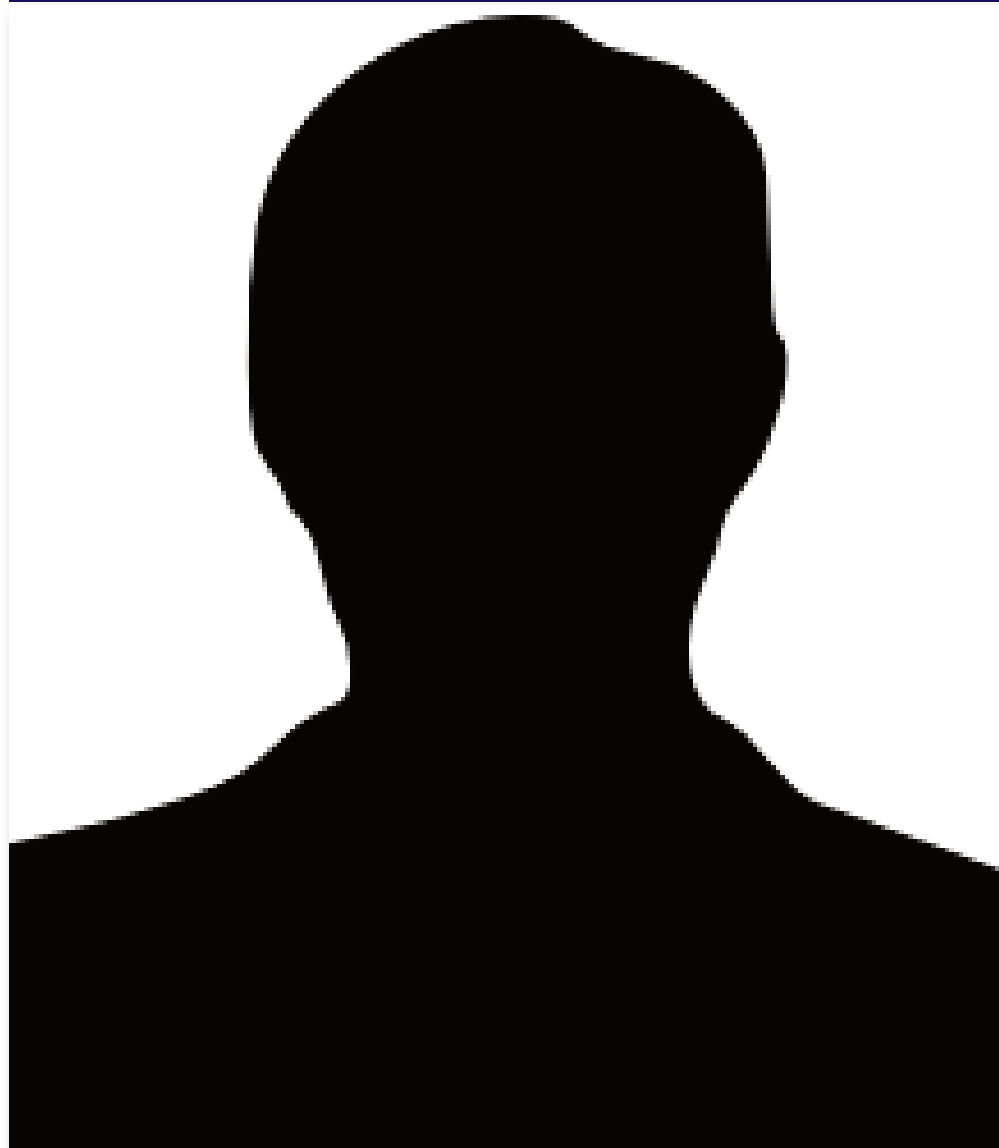
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JON VENABLES:



Killer Jon Venables has been jailed for two years after he admitted downloading pornographic images of toddlers.

Venables - who along with Robert Thompson battered and murdered two-year-old James Bulger - told officers he had enjoyed the images of abuse and said he was "breaking the last taboo".

He even adopted an online alter ego as a married mother offering to sell her eight-year-old daughter to a paedophile.

Venables and his friend Thompson were just 10 when they killed James in Bootle, Merseyside, and became national figures of hate.

They were jailed for life in 1993 and given new identities when they were released on licence in 2001.

Extensive measures were taken to protect the pair from vigilantes and help them lead a normal life but after several years Venables descended into a spiral of cocaine and mephedrone addiction and drunken violence.

The 27-year-old - who still faces death threats - appeared via videolink at the Old Bailey today under unprecedented secrecy, with only the judge able to see him.

After 16 years living in the shadows, just four disembodied words were heard from the killer - answering "yes" to his name and pleading "guilty" to three charges concerning child pornography.

One charge related to downloading 57 images - some of children as young as two - between February last year and February this year.

A second count related to a technical offence that three images were made available while they were being downloaded in February this year.

The third charge related to distributing images in February 2008 to convicted paedophile Leslie Blanchard, of Chelmsford, Essex.

James's mother, Denise Fergus (below), sat impassively in court wearing a "Justice for James" badge as details of the crimes, and Venables' life since release from jail, were read out. She later condemned his sentence as "simply not enough".

Speaking after the hearing, Venables' solicitor, John Gibson, said his client was "extremely remorseful" and knows he has "badly let down" everyone who has tried to help him.

The solicitor added: "He has said that every day since what took place in 1993 he has thought about how different life might have been for all those affected, who he appreciates have also had their own reasons for reflection."

The court heard that, in September 2008, Venables was arrested on suspicion of affray after a drunken brawl and was given a formal warning by the probation service for breaching the good behaviour terms of his licence.

Later the same year he was cautioned for possession of cocaine after he was found with a small amount of the class A drug, said to be for personal use.

Mrs Fergus and her spokesman said today that they were "surprised and concerned" that

Venables had not been recalled for breaching his licence. A Ministry of Justice spokesman said there would be a review of his supervision.

It was in February this year that Venables was arrested and recalled over child pornography allegations.

Evidence later emerged that he had an "extensive history of searching for and downloading indecent images of children using the internet".

In February 2008 he was posing as a 35-year-old married woman called Dawn when he was in contact online with paedophile Blanchard.

Evidence from a laptop seized from Blanchard showed the two men had used Google Hello to send and receive messages - with Venables using his alter ego.

Louis Mably, prosecuting, said: "Dawn said she was interested in pictures of parents abusing their children.

"Dawn said she and her husband abused their daughter. Blanchard said he would like to meet their daughter and abuse her himself. It appeared that Dawn agreed a price for selling her daughter for a few hours."

Mr Mably said Blanchard gave a telephone number but Dawn broke off contact abruptly, telling him he would never meet or touch her daughter.

In February this year, Venables contacted his probation officer, fearing that his true identity had been discovered.

The officer arrived at his address and told him to collect his belongings, and he was found trying to delete files from his computer and to remove his hard drive with a tin opener.

Venables was taken to a police station with the machine and it was later examined by officers, said Mr Mably.

He said: "A total of 57 indecent images of children were found."

Eight of the images were at level four, the second most serious level - featuring sexual activity involving children, the court heard.

Two were at level three, three were at level two, and 44 at level one, the Old Bailey was told.

Sentencing Venables today, Mr Justice Bean said: "Accessing child pornography on a computer is not a victimless crime, since people who do it encourage the exploitation of the children who are filmed or photographed.

"Even downloading such images, let alone distributing them, is itself a form of child abuse."

The judge said that, as Venables was still on licence for the "horrific" murder of James, he would not be

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When Kids Kill Kids



automatically released on serving half his two-year term, and when he was let out would be up to the parole board to decide.

He was also put on the sex offenders register for 10 years and banned from working with children for life.

In a statement released after he was sentenced, the killer said he thought of the murder he carried out every day and was "genuinely ashamed" for his latest crimes.

Anthony Hudson QC, representing the national media, said in court earlier that the decision to allow only the judge to see Venables via videolink was a "very serious departure" from the principal of open justice.

He said: "This is the first time ever that such a course has been adopted in relation to an adult criminal defendant."

But the judge said: "I do not see that it is an essential part of criminal proceedings that the public should be able to look at the defendant, either at the time of sentencing or before."

"There is evidence to the effect that there is very considerable risk to Mr Venables' life if his identity becomes public."

Cheshire Constabulary and Cheshire Probation

issued a statement about the case later, after the judge agreed that it could be reported that Venables was in Cheshire at the time.

The statement said: "Since 2007, Cheshire Probation and Cheshire Constabulary, as partners in the local MAPPA (Multi-Agency Public Protection Arrangements) played a part in the arrangements set up to manage Jon Venables in the community. "On February 22 2010, we were notified by Jon Venables that he believed his new identity was compromised, with a number of people in the community having identified him.

"A trigger plan was put into place to move Jon Venables from his home immediately. When a police officer arrived to escort Venables to a new location he found him tampering with the hard drive of his computer.

"This behaviour aroused suspicions and Venables was removed to a police station. The computer was seized.

"The computer was forensically examined and a number of offences detected involving images of abuse.

"A decision was taken by Cheshire Probation to recall Jon Venables to prison because of concerns about his behaviour."

The statement added that "the national MAPPA board was kept fully informed and updated" about the management of Venables.

Jon Venables fell into drug addiction and alcohol abuse as his life spiralled out of control several years after he was released from prison.

The child killer was released from prison at the age of 18 in 2001 after serving seven years of a life sentence for the murder of James Bulger.

Extensive efforts were made not only to ensure his security, but to try to give him an "ordinary" life with a new name, job and flat.

He was even trained by police in counter-surveillance as he was told he would have to "live and hold a lie" for the rest of his life or he would be in danger.

Venables began working full-time in a job that involved anti-social hours and earning close to the minimum wage as he forged a new circle of friends. But things started to go wrong in 2007 as he began to drink heavily and take drugs, including cocaine and recently-banned mephedrone.

On September 20 2008, he was arrested on suspicion of affray over a street fight with another man who claimed he had assaulted his girlfriend.

Both men were charged with a public order offence but this was dropped as prosecutors could not prove he was not acting in self-defence.

Venables was handed a formal warning by the Probation Service as he had broken a "good behaviour" clause in his licence.

Three months later, on December 21, Venables was cautioned for possessing cocaine after police saw him handling a small container filled with white powder.

This time, concerned probation workers added a requirement to his licence ordering him to address his alcohol and drug problems.

It was earlier in 2008 that Venables had posed as a mother offering to sell her daughter for sex to another paedophile during three online chats. He later claimed he did it "for a laugh" and a "hoax" but pleaded guilty to obtaining 42 indecent images of children from a man he never met in Chelmsford.

The Old Bailey heard Venables was driven over the edge because

he lived in constant fear of his true identity being revealed.

The child abuse images were discovered after Venables told his probation officer he feared he had been identified and began making hurried preparations to flee his home.

Edward Fitzgerald QC (below) said that by last year his client was addicted to cocaine and "in no sense was he fully in control of his life".

The barrister said Venables had made "exceptional progress" in prison despite being "vilified and demonised" and his life threatened.

He said: "Once he was released, he lived constantly under the very real threat of reprisals. He had to live under an assumed name in wholly abnormal circumstances."

Venables struggled to make new relationships, particularly with women, as he was ordered to disclose his true name to anyone he became close to.

The court heard Venables "almost welcomed" his arrest over the child abuse images as it gave him "release" from his addiction to drugs.

In a statement released by his solicitor, Venables said he felt like a "canary down a mine" when he was released from prison.

He said he thought about the death of James every day and considered how his life, and the lives of others, could have been different.

Venables apologised to people he befriended since his release who he admitted would be "hurt and angry" when they realised he was "not who he said he was".

His solicitor said: "The return to prison was something of a relief when it came.

"He intends to learn lessons to help him face the challenge again in the future when, at some point, he hopes to be released again."



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Cop Guilty of 'Violent, Excessive And Unjustified' Assault



An assault on a drunken off-duty soldier by a special constable was "violent, excessive and unjustified", the police watchdog has said.

Peter Lightfoot (right), 40 was found guilty by a jury of assaulting L/Corporal Mark Aspinall after they viewed CCTV footage of him pushing his head into the ground and striking him with a police helmet. The attack on the soldier (above left) who served in Afghanistan and Iraq, happened in the early hours of July 27, 2008 in Wigan, Greater Manchester.

Two other officers involved in the incident, Sergeant Stephen Russell, 34, and Pc Richard Kelsall, 29, were cleared of assault and perverting the course of justice.

L/Cpl Aspinall was himself initially charged and convicted on two counts of attacking the police officers by Wigan magistrates who did not view the CCTV.

He later won an appeal to have the verdict quashed at Liverpool Crown Court last November, as the judge cited concerns about the actions of the

officers. Police were called to the Walkabout bar in the town centre after it was claimed the soldier had caused a disturbance as he shouted racial abuse at door staff when he was thrown out.

The three officers then attempted to arrest the soldier in the middle of the road.

The trial at Manchester Minshull Street Crown Court also heard evidence that L/Cpl Aspinall allegedly obstructed paramedics who attempted to treat a woman who had collapsed.

Lightfoot was also convicted of one count of perjury which concerned evidence he gave at Liverpool Crown Court about the incident with L/Cpl Aspinall. The charge of perverting the course of justice alleged the two other officers provided false accounts in their witness statements about the circumstances surrounding the arrest.

The charges were brought following an investigation led by the Independent Police Complaints Commission (IPCC).

Following the verdicts, IPCC Commissioner Ms



Naseem Malik said: "It is clear from the evidence that Mr Aspinall was drunk, aggressive and causing a nuisance. He was exhibiting the kind of behaviour that police officers have the unfortunate duty to deal with on a regular basis.

"That is why officers are trained to deal with such individuals in a professional manner. However in this incident Special Constable Lightfoot's training would appear to have been replaced by a red mist. His actions were violent, excessive and unjustified. "I am grateful to Greater Manchester Police and our investigators for the thorough and professional work they have done in examining this matter. I have noted the jury's decision in relation to the other officers and we respect that.

"The IPCC and Greater Manchester Police must still consider whether it is appropriate for any of the officers to be subject to misconduct action."

Lightfoot will be sentenced on September 1.

Assistant Chief Constable of Greater Manchester

"The conduct of Special Police Constable Lightfoot that day fell well below the standard we expect at Greater Manchester Police. We are even more disappointed that he knowingly lied before a criminal court."

Garry Shewan

GMP Asst Chief Constable

Police Garry Shewan said: "The conduct of Special Police Constable Lightfoot that day fell well below the standard we expect at Greater Manchester Police.

"His actions in no way reflect the committed and professional attitude shown by the vast majority of our Special Constables, who are highly trained in the best ways to safely detain prisoners.

"We are even more disappointed that he knowingly lied before a criminal court.

"The force's Professional Standards Branch has carried out a thorough investigation, under the management of the IPCC. It will now examine the case to decide what disciplinary action against the three officers involved in this case is required."

The Not So Perfect Brittany!

A 22-year-old bank worker who stole more than £30,000 from elderly and vulnerable account holders has been jailed, the Crown Prosecution Service (CPS) has said.

Brittany Perfect systematically defrauded elderly customers and stopped statements being sent to their homes, a CPS spokeswoman said.

Perfect was working as a personal banker for Barclays in Attleborough, Norfolk, when she committed the crimes between November 2008 and last November, Norwich Crown Court heard.

She transferred cash from the savings of three elderly victims into the accounts of her mother, sister and grandmother before forwarding the

money into her own account. In total, £92,000 was transferred but Perfect, of Wymondham, Norfolk, benefited from only £33,000 of the money. The CPS spokeswoman said the victims were compensated by the bank.

Perfect was handed a six-month jail term. She pleaded guilty to five charges of fraud by abuse of position of trust at an earlier hearing.

A spokesman for Barclays said: "We employ 60,000 people in the UK and staff fraud is rare, however, it is something that can happen in any organisation no matter how stringent the vetting procedures are. We are alive to the possibility, take steps to minimise the risk and detect it quickly if it happens. "We have a zero tolerance policy towards staff fraud. Where any employee involvement is suspected, individuals will be suspended and investigated."

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'Bungling Pathologist' Could Be Struck Off



The pathologist who first ruled Ian Tomlinson died from natural causes faces disciplinary proceedings and could be struck off within months.

Dr Freddy Patel is accused by the General Medical Council (GMC) of bungling four other post-mortem examinations between September 2002 and January 2005.

He has been suspended from the Home Office register of forensic pathologists and barred from examining others who have died suspiciously.

The GMC hearing focuses on his actions during post mortems on four bodies, including a four-week-old baby, a five-year-old girl and two women.

He is accused of giving questionable verdicts on the causes of deaths, several of which later turned out to be suspicious.

A detailed document released by the Crown Prosecution Service (CPS) today revealed further questions were raised over his examination of Mr Tomlinson.

Dr Patel found the alcoholic newspaper seller died as a result of natural causes, consistent with coronary artery disease. But investigators said Dr Patel wrote ambiguous notes about his findings and failed to examine three litres of fluid discovered inside Mr Tomlinson.

The fluid proved to be crucial as if it was mainly blood this would have indicated Mr Tomlinson died as a result of bleeding from an internal rupture.

Dr Patel did not retain the fluid or test it but insisted during interviews with prosecutors that it was mainly other fluids stained with blood.

The other two pathologists agreed Mr Tomlinson died as a result of internal bleeding, probably from his diseased liver, after falling on his elbow.

Prosecutors said Dr Patel was the only person to see Mr Tomlinson's intact body and was best placed to identify any internal rupture.

They said an "irreconcilable conflict" between Dr Patel and the other two doctors would undermine any prosecution.

In the GMC cases, Dr Patel is accused of recording there were "no significant marks of violence" on the body of a five-year-old girl without checking the results of a hospital investigation into her injuries.

He is also accused of concluding that a woman died from opiate poisoning without considering bruising on her body or discussing with police the possibility that she was asphyxiated.

Dr Patel faces other allegations relating to post-mortem examinations he carried out on a four-week-old baby and a woman who suffered an intra-cerebral haemorrhage.

The GMC alleges the way he carried out the examinations was "irresponsible" and that his fitness to practise is impaired because of his misconduct. None of the allegations relates to Mr Tomlinson's death.

Dr Patel quit academic and NHS posts in the late 1990s to become a private pathologist on the Home Office register.

He was suspended from the register last summer and barred from undertaking post-mortem examinations in suspicious deaths.

The pathologist was previously reprimanded by the GMC after he released medical details about the death in police custody of Roger Sylvester, 30.

Dr Patel, who qualified in 1974 at the University of Zambia, is registered as a doctor under the name Mohmed Saeed Sulema Patel.

His GMC disciplinary hearing began last week and is listed to continue until September. He denies misconduct.



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South Wales Cops Apologise for 'Tragic 999 Blunder'



Senior officers at two police forces have apologised for a tragic 999 mix-up which left a desperate mother alone to face her killer.

Joanna Michael, 25, was murdered by an ex-boyfriend at home in Cardiff in a "frenzied attack" in the early hours of August 5 last year.

The mother-of-two was stabbed to death by Cyron Williams, 20, in a brutal knifing which left the scene looking like a "horror movie".

Despite making two potentially life-saving 999 calls it took police a total of 22 minutes to respond.

A police watchdog blamed a combination of human and technical error today after an exhaustive investigation into the tragedy.

An emergency call handler with Gwent Police is to face a disciplinary panel on a charge of gross misconduct.

An emergency call handler at South Wales Police (SWP) is also facing disciplinary action.

The Independent Police Complaints Commission (IPCC) concluded that Ms Michael "was failed by Gwent Police, South Wales Police and the 999 system itself".

Her mobile phone calls, and those of concerned neighbours, were unaccountably mis-routed to the neighbouring Gwent Police Force, by a phone mast. Time was then inevitably lost as details were passed to SWP while the handler of the initial call failed to take full details.

As a result the full urgency of Ms Michael's situation was missed by SWP which failed to send officers to the scene immediately.

Only when a screaming Ms Michael made a second call, which was again mis-routed to Gwent Police,

were officers sent to the scene.

A drunken Williams had burst into her home in St Mellons, Cardiff, to find Ms Michael in bed with another man.

He convinced the man to leave them alone to discuss their relationship, going so far as to drive him home across Cardiff.

On his return a heated argument erupted which left Ms Michael dead after suffering 72 separate wounds at the hands of Williams.

He was jailed for life, with a recommendation that he serve 20 years, after admitting murder at Cardiff Crown Court in March.

"The IPCC cannot say that an earlier response would have saved Joanna's life. For all we know if the police had attended Joanna's house at 2.35am Williams may have just waited until the officers had left before resuming his murderous intentions," the IPCC report states.

"What we can say for certain is that more could and should have been done for Joanna, who was denied the opportunity for a prompt response which may have led to a different outcome."

Gwent Police and South Wales Police issued a joint statement today.

"Uppermost in all our minds today is Joanna Michael. As the first anniversary of Joanna's death approaches, our thoughts are with her children, her wider family and all her friends as they continue to rebuild their lives as best they can following her tragic murder by Cyron Williams.

"Gwent Police and South Wales Police are working closely together to address the issues set out in the IPCC's report. We fully acknowledge the findings of the IPCC investigation and both forces have been working hard to implement the recommendations identified.

"Disciplinary proceedings are ongoing in both forces into the conduct of two call handlers, and, as this process remains live, we aren't able to go into further detail at the present time.

"We both acknowledge fully that the service given to Joanna Michael in the early hours on August 5th 2009 was not reflective of the usual high standards

our communities should expect."

Deputy Chief Constable of Gwent Police Carmel Napier said in a separate statement: "It's our job to protect and help vulnerable members of the public and we are sorry that we failed to do that for Joanna. There are no excuses - we simply did not respond as we should have."

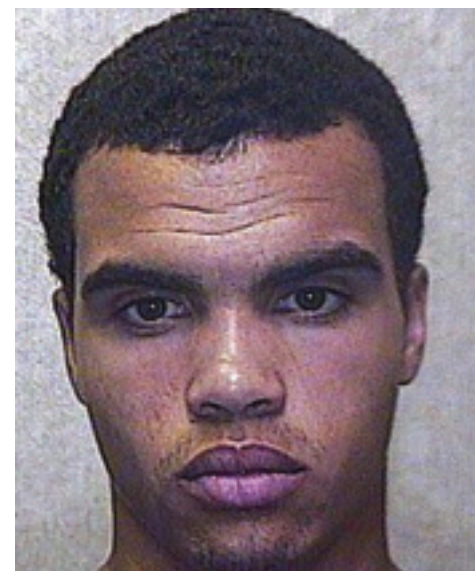
Nick Croft, assistant chief constable of SWP, said: "I regret very much the way South Wales Police dealt with the call and information that was passed on by Gwent Police.

"I agree with the commissioner that the lessons learned during the investigation and his recommendations should be shared. South Wales Police has fully accepted the recommendations and has acted upon them.

"The IPCC report deals with the actions taken by the individual call handlers on the night in question in managing this rapidly unfolding incident.

"Clearly, Joanna's calls to the police did not result in her getting the required response and our service that night fell below the standards I would expect from my staff.

"I know that all South Wales Police officers and staff will share my feelings in this regard."



National Inquiry into Alternatives to Jail

A charity that campaigns against locking people up for minor offences has launched a national inquiry into cost-effective alternatives to custody for low level offenders.

The first session of Make Justice Work's Community Or Custody: Which Works Best? inquiry is taking place in Manchester.

The inquiry, which follows Justice Secretary Kenneth Clarke's recent speech on criminal justice reform, will spend six months investigating the relative effectiveness and cost of robust community alternatives in comparison to short term (under six months) for lower level offenders. It aims to report on its findings next spring.

The panel is chaired by author, broadcaster and political commentator Peter Osborne, and panel members are Sir Ian Blair, former commissioner of the Metropolitan Police; Roma Hooper, director of Make Justice Work; Paul McDowell, chief executive of Nacro; Owen Sharp, acting chief executive of Victim Support; and John Thornhill, chair of the Magistrates' Association.

Commenting on the launch of this inquiry, Ms Hooper, said: "I am delighted to have such a distinguished group of experts working with

me on this important initiative.

"I firmly believe that the results of our inquiry will prove to Government that it can confidently cut prison numbers, cut crime and cut spending through sensible alternatives to custody.

"We intend to identify the key ingredients for success in order to make Britain's criminal justice system actually work to reduce low level crime."

Make Justice Work campaigns to raise awareness of the expense and ineffectiveness of locking up low-level offenders and to raise awareness of more cost-effective alternatives.

For more information write to Make Justice Work, PO Box 6907, London, W1A 5EG 020 7031 1164 makejusticework.org.uk.



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Cult Leader Gets 10 Years For Rape & Assault



spiritual guidance.

The Jamaican-born conman, better known as Dr Mohan Singh or Mo, constructed a formidable cult spanning Britain, the United States, France and India.

A three-month re-trial at Wood Green Crown Court heard he claimed to have links with the Dalai Lama and to have treated the Queen. His followers said he had healing powers and was capable of miracles including curing cancer and improving fertility.

An inner circle of up to 40 women financed his itinerant lifestyle, fuelling the myth and helping to lure victims.

Prosecutor Philip Katz QC said Lyons surrounded himself with "young and charming" women but was a "sexual predator masquerading as a guru and a healer".

The jury found Lyons, of Brondesbury Park, Kilburn, north London, guilty of raping a woman on June 30 2002.

He was also found guilty of assaulting another woman by penetration with his fingers on or before January 31 2005.

He was cleared, or the jury could not decide, in

other allegations of rape or assault.

Police said attacks were strikingly similar and Lyons might have more victims in Britain and the United States.

They said he may have imitated Indian mystic Bhagwan Shree Rajneesh, also known as Osho, after working as a chauffeur for him.

Rajneesh, one of the world's most controversial and colourful cult leaders, was dubbed the "sex guru" for his exotic preaching on free love.

Detective Sergeant Nicholas Giles, who pursued Lyons for four years, said: "The prosecution evidence showed Lyons operated as a 'spiritual group leader' operating predominantly in the United Kingdom and United States.

"Lyons purported to be a naturopath, skilled in osteopathy, acupuncture and nutrition. His followers were mainly women, who supported his lavish lifestyle.

"He was introduced to potential new members through his followers. The new members were also women, with interests in spiritualism and wellbeing.

"We heard in evidence that Lyons used a programme of sleep deprivation, psychological harassment as well as group social pressure to coerce them to join. He sexually assaulted victims during this process.

"This coercive persuasion forced people to change their beliefs, ideas, attitudes and behaviours, using psychological pressure, undue influence, threats, anxiety and intimidation.

"Following the police investigation, Lyons was charged with offences of rape and sexual assault dating from as early as 1998.

"Witnesses from the UK, the USA and New Zealand gave evidence against Lyons, who denied all the offences. Evidence of bad character was used to show his cult activities and sexual misconduct.

"My praise goes to the victims of his crimes. I hope today's conviction can assist them, knowing they have contributed to bringing a dangerous offender to justice.

"I would encourage anyone who has been a victim of a sexual assault to have the confidence to come forward and speak to police. Be assured any

allegation will be thoroughly investigated.

"We will not give up on seeking justice, no matter how long ago the attack took place."

Investigators said Lyons dressed in the flowing robes of a Tibetan lama to stalk health food stores, yoga workshops and new age talks.

Riding a red Bentley convertible, he invited women to one of several luxury apartments in north London and Manchester rented for him by devotees.

They were offered vegetarian dinners, spiritual talks, massage, osteopathy or acupuncture with the promise it would change their lives.

Lyons told several aspiring actresses he had Hollywood contacts and was friendly with action star Steven Seagal and other heroes of spiritualism. Women were allegedly brainwashed with bogus spiritualism, psychological bullying and peer pressure.

In some cases, they were handed odd smoothies and fruit juices which they later suspected may have contained drugs.

He also gave women fruit cubes which contained powerful natural laxatives, leaving them with diarrhoea for up to a week.

Kept awake until the early hours in an intoxicating atmosphere of incense, often herbs burnt in a frying pan, women were left weak and suggestible.

Lyons would then invite them into a bedroom for special "treatment" in which strong massages were used to immobilise them and introduce inappropriate touching.

Victims said they were lulled into a false sense of security by his flock of young women.

But not only did the inner circle fail to help them, they would applaud the "treatment" and tell the women afterwards how great they looked.

Police believe many of Lyons's followers may have endured a similar sexual indoctrination.

He received a seven-year jail term for the rape, and three years to run consecutively for the assault by penetration.

He will also be subject to a sexual offences prevention order and be placed on the sexual offenders register for life when he is released in 2015..

A flamboyant cult leader who claimed to be a friend of the Dalai Lama has been jailed for 10 years for attacking women.

Self-styled guru Michael Lyons, 52, was convicted of raping one woman and assaulting another.

He was accused of preying on beautiful and well-educated young women who came to him for

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Ripper Gets Whole Life Tariff



Yorkshire Ripper Peter Sutcliffe, whose notorious murder campaign caused "widespread and permanent harm to the living", will never be released, a judge has ruled.

The serial killer of 13 women must serve a "whole life" tariff, said Mr Justice Mitting, announcing his decision at the High Court in London.

His judgment was welcomed by Richard McCann, (right) whose mother Wilma was one of the victims of Sutcliffe's reign of terror.

Speaking outside the Royal Courts of Justice, Mr McCann said that for many years he had feared Sutcliffe might get released, but now felt a "sense of relief" at the decision. He described it as a "small victory for my mum" and the other victims.

In his ruling Mr Justice Mitting said: "This was a campaign of murder which terrorised the population of a large part of Yorkshire for several years.

"The only explanation for it, on the jury's verdict, was anger, hatred and obsession.

"Apart from a terrorist outrage, it is difficult to conceive of circumstances in which one man could account for so many victims.

"Those circumstances alone make it appropriate to set a whole life term."

Now known as Peter Coonan, the former lorry driver, now 64, from Bradford, West Yorkshire, was convicted at the Old Bailey in 1981.

He received 20 life terms for the murder of 13

women and the attempted murder of others in Yorkshire and Greater Manchester.

Mr Justice Mitting said he had read statements by relatives of six murdered victims: "They are each moving accounts of the great loss and widespread and permanent harm to the living caused by six of his crimes.

"I have no doubt that they are representative of the unspoken accounts of others who have not made statements.

"None of them suggest any term other than a whole life term would be regarded by them as appropriate."

He said he had no doubt that the "appropriate minimum term is a whole life term".

Sutcliffe is being held in Broadmoor top security

psychiatric hospital after being transferred from prison in 1984 suffering from paranoid schizophrenia.

It was on July 5 1975, just 11 months after his marriage, that he took a hammer and carried out his first attack on a woman. Sutcliffe is said to have believed he was on a "mission from God" to kill prostitutes - although not all of his victims were sex workers - and was dubbed the Yorkshire Ripper because he mutilated their bodies using a hammer, a sharpened screwdriver and a knife.

Mr Justice Mitting ruled that it was more likely than not that, if the Home Secretary had set a tariff for Sutcliffe, it would have been a whole-life tariff.

"The very clear impression which I have is that this case comes right at the top of the range of cases in which the Home Secretary has set a whole-life tariff.

"Only Rosemary West and Dennis Nilsen approach the number of victims murdered.

"Even they did not reach the total number of the respondent's victims."

The primary submission made on behalf of Sutcliffe was that the degree of his responsibility "was lowered by mental disorder or mental disability".

The diagnosis of psychiatrists who had considered his mental condition was that he was "suffering from encapsulated paranoid schizophrenia when he committed the crimes and that his responsibility for the 13 killings was, in consequence, substantially diminished". But the judge said: "These propositions were, however, unquestionably rejected by the jury."

He ruled: "It is not, in my opinion, open to a judge, setting a minimum term, to go behind the verdict of the jury by concluding that, although the defendant's responsibility was not proved to have been substantially diminished, he should be given the benefit of the doubt for the purpose of setting the minimum term, by concluding that it might have been."

It was the opinion of psychiatrists that he "suffers from a chronic treatable mental illness for which he has been willing to accept appropriate

treatment, which has successfully contained it for many years".

A report from Dr Kevin Murray, the psychiatrist who has been in charge of Sutcliffe's care since 2001, revealed that in July 1993 the killer was started on anti-psychotic medicine and "has persevered with it ever since".

The judge said: "He has been well-behaved and has posed no threat to other inmates.

"Jehovah's Witnesses who have befriended him for over 15 years are emphatic that he now shows remorse for his crimes."

Sutcliffe had "thrice been the subject of assaults, two of them serious".

"In the second assault, his right eye was put out. In the third, an attempt, in the event unsuccessful, was made to put out his left eye," said the judge.

Mr McCann, asked about Sutcliffe showing remorse, said: "I would argue strongly against that.

"Four or five years ago I wrote to Peter Sutcliffe to give him the opportunity of showing some remorse." He had written in the hope of getting some kind of "closure".

He added: "I felt some remorse from him would help me. He did not take me up on the opportunity."

Sutcliffe will remain at Broadmoor hospital, below, for the foreseeable future.



Ripper Life Timeline

The Yorkshire Ripper's reign of terror was Britain's most notorious murder spree of the 20th century. The north of England lived in fear as the lorry driver killed 13 women and attacked seven more in the late 1970s and early 1980s.

Life Timeline of Peter Sutcliffe

:: June 2, 1946 - Peter Sutcliffe is born in Bingley, West Yorkshire. After leaving school at 15, he takes a series of jobs, including grave digger and salesman.

:: August 10, 1974: Sutcliffe marries wife Sonia.

:: Summer 1975 - Less than a year later, he begins attacking women - two in Keighley and one in Halifax. All three survive and police do not link the attacks.

:: October 30 1975 - Sutcliffe carries out his first fatal attack on Wilma McCann, a 28-year-old prostitute from the Chapeltown district of Leeds.

:: January 20 1976 - He murders Emily Jackson, 42, from Leeds, battering her with a hammer and stabbing her with a screwdriver.

:: February 5 1977 - He kills Irene Richardson, 28, another prostitute from Leeds.

:: April 23 1977 - Sutcliffe strikes for the first time in his home town of Bradford, murdering 32-year-old Patricia Atkinson.

:: June 26 1977 - The case comes to the attention of the national press after Sutcliffe murders Jayne MacDonald, a 16-year-old shop assistant. The murder, and the realisation that a serial killer is on the loose in Yorkshire, shocks the country.

The attacker is dubbed the Yorkshire Ripper, and West Yorkshire Chief Constable Ronald Gregory appoints his most senior detective, Assistant Chief Constable George Oldfield, to investigate.

:: October 1 1977 - Sutcliffe chooses Manchester for his next attack - on Jean Jordan, 20. He dumps her body on an allotment and throws her bag, containing a brand-new £5 note he gave her, into nearby shrubs.

Police find the bag and trace the serial number on the note back to the payroll of Yorkshire hauliers T and W H Clark, who employ Peter Sutcliffe and he is interviewed by police but provides an alibi placing him at a party.

:: January 21 to May 16 1978 - Sutcliffe murders three prostitutes - Yvonne Pearson, 21, from Bradford; Helen Rytka, 18, from Huddersfield, and 40-year-old Vera Millward from Manchester.

:: April 4 1979 - Sutcliffe kills Halifax Building Society clerk Josephine Whitaker, 19.

:: June 1979 - A tape is sent to police by a man calling himself Jack the Ripper, who has already sent a series of hand-written letters from Sunderland. Assistant Chief Constable Oldfield mistakenly decides that these are the work of the Ripper. Wearside Jack, as he becomes known, is pinpointed to the Castletown district of Sunderland by voice experts. Detectives are told they can discount suspects who do not have a Wearside accent.

:: July 1979 - Police interview Sutcliffe for the fifth time. Det Cons Andrew Laptew and Graham Greenwood are suspicious but their report is filed because his voice and handwriting do not fit the letters and tape.

:: September 2 1979: Sutcliffe murders Barbara Leach, 20, in Bradford.

:: August 20 1980 - The Ripper claims another victim, Marguerite Walls, 47, from Leeds, followed by Jacqueline Hill, 20, a Leeds University student, on November 17.

:: November 1980 - Det Ch Supt James Hobson replaces Oldfield. Hobson downgrades the importance of the Wearside Jack tape and letters. :: January 3 1981 - Sutcliffe admits he is the Yorkshire Ripper after police arrest him with a prostitute. Police admit the killer does not have a Wearside accent.

:: May 22 1981 - Sutcliffe is jailed for life at the Old Bailey after saying he was hearing "voices from God" to go on a mission to rid the streets of prostitutes. The judge recommends a minimum sentence of 30 years. He is transferred to Broadmoor secure hospital in Berkshire in 1984.

:: March 21 2006 - John Humble, a former builder, is sentenced to eight years in prison after he admits to being the Yorkshire Ripper hoaxer known as Wearside Jack.

:: July 16 2010 - Sutcliffe learns the outcome of his plea not to have to spend the rest of his life behind bars.



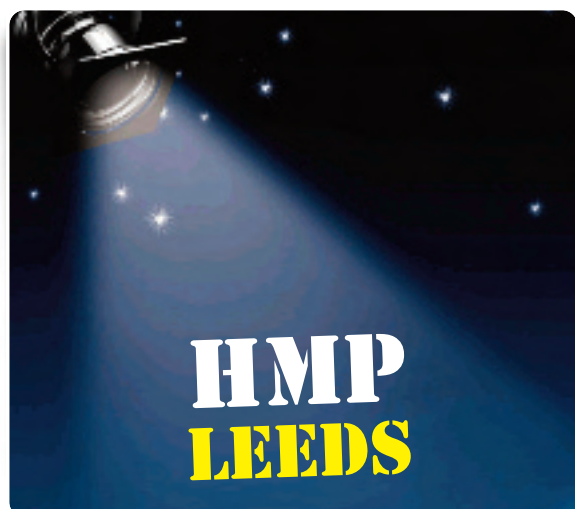
No Jail For Woman's SECOND False Rape Claim



A woman who falsely cried rape for a second time has been spared jail because a judge deemed it 'unfair' for her child to be born in jail. Heavily pregnant Gemma Scoones, 27, stood before Judge Michael Taylor in the dock at Durham Crown Court on Friday to be sentenced for perverting the course of justice. Last year, Scoones was given a 12-month jail sentence by the court after she admitted a similar offence involving a false rape allegation against her estranged husband, Anthony Scoones, following the break up of their relationship. Mr Scoones was arrested, held in a police cell for a day and was only released after his former wife admitted she had made the story up. In her latest allegation, no one was arrested, and

she eventually admitted making up the rape after police questioned her story. She was given another 12-month sentence, but this was suspended for two years and was accompanied by a supervision order involving the Probation Service. Judge Taylor told her that it was a serious offence that deserved an automatic custodial sentence and said that she had made an 'atrocious allegation'. He said: 'But what saves you from an immediate sentence is that I see you are heavily pregnant and it would not be fair on your child to be born in prison,' he said. He said it was fortunate that no one had been arrested in the latest case. Lesley Kirkup, prosecuting, gave a brief outline of

events, saying that on April 18, Scoones reported to an ambulance crew that she had been raped. She was taken to hospital where she repeated the allegations, despite being challenged about her account. Ms Kirkup said that medical examinations were carried out at the hospital and that police searched her home. However, the officers were unable to find any evidence that the attack had actually happened. When officers asked her again about her story, she told them she had made it up. "At the end of the day, she has accepted she was never raped," Ms Kirkup told the court. Scoones, of Horden, County Durham, admitted the offence at a previous hearing.



Spotlight on HM PRISON LEEDS

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PRISON SHOP: Contracted out to DHL with preorder bagged up system. All wings served Sat pm with separate arrangements for new receptions and Healthcare.

VISITS: How to Get There. By car from the East M62 (J29) M1 (North) keep right on approach to M621. Follow M621 to J2. Follow signs to 'City'. At next roundabout take second main exit (A647 Bradford), prison is 500m on left.

Visiting Times: Legal: All visits pre-booked by either fax on 0113 203 2872 or by

telephoning 0113 203 2768 Week Days: 0900-1200hrs, 1400 1700hrs. Domestic: All visits pre-booked by telephoning 0113 203 2932 or 0113 203 2935.

Week Days – Monday to Wednesday: 0830-0945hrs, 1015-1130hrs, 1330-1445hrs, 1515-1630hrs and 1800-1900hrs Wednesday and Thurs. Weekend: 0830 – 0945hrs, 1015 – 1230hrs, 1330 - 1445hrs, 1545-1730hrs (no eves).

OFFENDER MANAGEMENT: The Offender Management Function works closely with key agencies and voluntary and community providers to deliver effective and purposeful sentences to encourage successful reintegration and resettlement into communities, within the Offender Management Model. The core work of the function is driven through the establishment Resettlement Strategy which links directly to the Regional Reducing Re-Offending Action Plan (RRRAP). The RRRAP identifies 9 Pathways to Reduce Re-Offending and these form the bedrock upon which the work of the team is based.

EDUCATION: The Education Contract is currently with The Manchester College. The Department is open 4 ½ days a week, 50 weeks a year. The Education Department consists of the Learning & Skills Manager, Deputy Learning & Skills Manager and full and part time staff. Daily class times 0815-1115 hours, 1330-1600 hours. Vocational classes include wing based Industrial Cleaning, Painting and Decorating and Barbering and there is a new Multi-Skills Centre that enables men to obtain City & Guilds Construction qualifications. There are classes in Skills for Life, ESOL, ICT, Cookery, Personal & Social Development, Family Learning and Visual Arts. The Pre-Release course caters for

men coming to the end of their sentence and includes Preparation for Work, Group & Teamwork and CSCS courses. Open Learning and OU are available to suitable learners. All courses are nationally accredited. Education staff provide Skills for Life support throughout the prison. An Advice and Guidance team is part of the Education Department and has achieved the Matrix Standard. The Education Department has strong links with many outside employers, agencies and colleges. The Education Department works very closely with the Library on such projects as Once Upon a Time. **LIBRARY:** Open every day except Christmas Day. Enthusiastic and helpful staff and orderlies provide an excellent service despite working in cramped conditions. The Librarian organises the 'Once Upon a Time' project in which prisoners can record stories for their children. The Librarian won the Star Award for Outstanding Learner Support in 2005. The Library also won the NIACE Family Learning Provision award in 2003 for the "Once Upon a Time" project.

CHAPLAINCY: F/t CE Chaplain, RC Chaplain, half-time Muslim Imam. & Free Church Chaplain. Part-time Chaplains: Buddhist, Jehovah's Witnesses, Jewish, Methodist, Mormon, two Muslims, Pentecostal, and Sikh. The Chaplaincy operates from a Multi-faith centre encompassing all faiths represented in the prisoner population.

HEALTHCARE: The healthcare service for offenders within Leeds Prison is commissioned by the National Health Service (NHS) and provided by NHS Leeds. Two permanent GP's and a medical director provide medical services including daily GP clinics and evening clinics within the medical reception area where all new prisoners are received into the prison have the opportunity to be seen. Dental treatment clinics and hygienist clinics are provided over three sessions each week. Physiotherapy, chiropody and optician services are provided on a weekly basis. Nurse led clinics covering asthma, diabetes and sexual health are provided weekly. A minor illness triage clinic is provided by the lead pharmacist and our specialist substance misuse GP provides a weekly session supported by a drug therapist and drug worker. The primary care nursing team provides a registered nurse on each wing each morning to administer medication and to act as a first point of contact for all healthcare issues, including facilities to fast track patients to the GP clinic where urgency is indicated.

GYMNASIUM & SPORT: The PE department operates from 2 separate sites each with a specific area of responsibility. The main site comprises a large sports-hall and a recently refurbished fitness suite. There is also a small classroom facility which is used to deliver coursework for our O.C.N. educational delivery. The Safer Custody suite contains cardio-vascular fitness equipment and a heat therapy unit.

ESTABLISHMENT REPORTS. HMCIP JULY 2010 Leeds is a local prison that has had a patchy recent history. Progress made around the turn of the century had clearly stalled by the time of our 2005 inspection, and indeed there were serious concerns about staff culture, the overuse of force and an undercurrent of racism. There were some signs of improvement by the 2007 inspection, though outcomes for prisoners in three of our four key areas remained unsatisfactory or poor. It is pleasing to report that this unannounced follow-up visit charted further progress in all areas, as a result of close and effective management.

Safety at Leeds remained a concern. As at previous inspections, first night arrangements were good, but they were let down by poor

induction processes and ongoing support after the first night. More prisoners than at comparator prisons said they had felt unsafe. They did not report high levels of victimisation, but systems to investigate and monitor alleged incidents were weak. A great deal of attention had been given to suicide prevention strategies and procedures, following a large number of self-inflicted deaths, and in general support arrangements had improved, with especially good support on B1 landing for prisoners with a range of vulnerabilities. Progress had been maintained in the segregation unit, and levels of use of force remained relatively low, but oversight of its use remained inadequate. The level of illicit drug use was high, and there was insufficient attention to supply reduction.

There had been a noticeable improvement in staff-prisoner relationships and considerable management attention to aspects of diversity, in particular race. Prisoners reported that the majority of staff treated them reasonably, though on all wings there were reports of a minority of staff who were dismissive or racist, and there was little proactive personal officer work. In spite of some effective work on race and religion, involving staff, prisoner representatives and outside agencies, black and minority ethnic, and in particular Muslim, prisoners continued to have much more negative perceptions of life at Leeds than other prisoners. There was widespread dissatisfaction with the food. Health services had improved, in particular mental health services, though there was no daycare provision and the inpatient regime was relatively poor.

There had been some improvements to the range and quality of provision, but there continued to be too little purposeful activity for men at Leeds. Allocation and assessment procedures were weak and resulted in some activity places being unfilled. The quality of educational provision had improved, but the quantity was insufficient, though participation was maximised through the use of part-time places. Much of the work available was mundane and wing-based, but there had been an increase in vocational training opportunities with good achievement of qualifications. Facilities in and access to PE were unsatisfactory, though further investment was planned. Time out of cell, though improved, was over-reported, and too many prisoners spent most of the day locked in cells.

Resettlement services were reasonably good, though they lacked effective strategic underpinning and needs analysis. All prisoners were seen at an early stage to identify need, but there were no tracking systems to ensure that needs were met, except for the minority of prisoners in scope of offender management.

Some prisoners were able to benefit from accredited pre-release courses but a more coordinated approach to discharge arrangements was needed. There were, nevertheless, some good accommodation and finance services, good links with local job centres and excellent family support work through Jigsaw. Provision for those with drug problems was good and improving but, as in most other prisons, those with primary alcohol problems were poorly served.

Overall, this is an encouraging report on a prison that has had to grapple with some serious underlying problems. Improvements were evident in all three of the areas about which we had concerns last time: respect, safety and activity. It was particularly pleasing that relationships between staff and prisoners, a major concern at the last two inspections, had improved markedly, though a minority of staff continued to cause concern.

It is a credit to managers and staff that progress has continued, in spite of the obvious limitations in a large, old prison with a transient population and insufficient activity places. Maintaining a safe and purposeful environment in such an environment is challenging, and Leeds will continue to need robust and effective management to sustain and continue its recent progress.

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Cat: ADULT MALE LOCAL.

Insig: LE. Area: Yorks & Humberside

BACKGROUND: Leeds Prison sits on a hill overlooking the city and was built in 1847. The older part is a radial design of 4 wings, with an extension of 2 further wings, a gymnasium, a Healthcare Centre and catering department. It occupies approximately 8 hectares. The old centre tower, entry gate and associated buildings are all Grade II* listed. When first opened the prison had 334 cells, but additional accommodation has been provided over the years. Leeds takes all adult males from all courts in West Yorkshire except Category A prisoners. The prison allocates mainly to HMP Wealstun, HMP Lindholme HMP Ranby and HMP Everthorpe. HMCIP the latest inspection report in July 2010 - see below.

KEY OFFICIALS:

Regional Custodial Manager: Amy Rice

Governing Governor: Rob Kellett

Deputy Governor: Marian Mahoney

Head of Operations & Security: David Pearson

Head of Performance: Steve Cox

Head of Residence: Trevor Brown

ACCOMMODATION & FACILITIES: A total of 6 wings (A-F). All cells have internal toilet, light and power points. A Wing cares for vulnerable prisoners, D1 acts as the First Night Centre with the remainder of D Wing acting as the Induction Unit, B, C, E and F wing for the remainder of the population. No cooking facilities on wings. All wings have access to showers, washing machines and PIN phones.



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PRISON LAW *Index**The Definitive Annual A-Z Guide to Prison Law!*

Stephen Field

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to inmates
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2010 / 2011

PUBLISHED 1st SEPT 2010!
ISBN: 978-0-9544829-7-8

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